

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF TEXAS  
3 HOUSTON DIVISION

4 UNITED STATES OF AMERICA \* 4:13-CR-00628-1  
5 VS. \* 10:10 a.m.  
6 HORTENCIA MEDELES-ARGUELLO \* APRIL 20, 2015

7 REDACTED TRIAL ON MERITS  
8 BEFORE THE HONORABLE DAVID HITNER  
9 AND A JURY  
10 Volume 6 of 10 Volumes

11 \*\*\*\*\*  
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17 94-15, United States District Court, Southern District of  
18 Texas.  
19 \*\*\*\*\*

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1 **PROCEEDINGS**

2 THE COURT: All right. Let the jury know it will  
3 be about two minutes. All right. Be seated. What have  
4 you got?

10:09:54 5 MR. PEREZ: Your Honor, on the issue that came up  
6 Friday about the sexual assault and appointing some  
7 attorneys for the witnesses, one of them -- especially the  
8 one with the sexual assault of a child allegation -- under  
9 608(b) I did a little bit of research over the weekend,  
10:10:10 10 Your Honor; and under 608(b) I don't even think he is  
11 entitled to ask that question.

12 Much less, in the alternative, if he doesn't take the  
13 stand, then Ms. Rodriguez has informed us he is going to  
14 take The Fifth on that question.

10:10:21 15 THE COURT: All right.

16 MR. PEREZ: I don't think he is entitled to ask  
17 that question, Your Honor, under 608(b).

18 THE COURT: Let's take a look. All right. There  
19 it is. What about 609? How does that apply?

10:11:27 20 MR. PEREZ: As I understand --

21 THE COURT: It says here specific instances of  
22 conduct, except for criminal conduct under 609, extrinsic  
23 evidence is not admissible. I haven't read 609. I will.  
24 Does that apply at all?

10:11:40 25 MR. PEREZ: I don't think so, Your Honor.

1 THE COURT: Why not?

2 MR. PEREZ: Because I think it's impeachment by  
3 evidence of a criminal conviction. This is not a  
4 conviction.

10:11:46

5 THE COURT: Okay. Let me just read it. All  
6 right. Now, what do you -- what do you anticipate he is  
7 going to bring up?

8 MR. PEREZ: Mr. Ali?

9 THE COURT: That's correct.

10:12:35

10 MR. PEREZ: I'm sure he is going to -- I'm  
11 anticipating he is going to ask him did you engage in any  
12 sexual -- did you have sexual intercourse with one of the  
13 minors at the location, Your Honor. I anticipate that's  
14 what he is going to ask.

10:12:47

15 MR. FAZEL: I was going to ask him he if --

16 THE COURT: I'm sorry. I can't hear you.

17 MR. FAZEL: I'm sorry, Your Honor. I was going  
18 to ask him if he had sexual intercourse with one of the  
19 witnesses.

10:13:03

20 THE COURT: All right. I'm going to issue a  
21 motion in limine on that. Approach the bench at that  
22 time. Think about whether you need it or not, okay, --

23 MR. FAZEL: Yes, sir.

24 THE COURT: -- when it comes time to ask it.

10:13:12

25 MR. PEREZ: Thank you, Your Honor.

1 THE COURT: I understand it completely because  
2 you are also mixing in 403 and, also, other stuff. All  
3 right. So that's the ruling. Absolute motion in limine.  
4 Do not go into this without approaching the bench first.

10:13:25 5 MR. FAZEL: Yes, sir.

6 THE COURT: Okay.

7 MR. FAZEL: I understand.

8 THE COURT: Let's call the jury in.

9 (Jury entered courtroom at 10:13 a.m.)

10:13:59 10 THE COURT: You may be seated. Call your next  
11 witness.

12 MR. PEREZ: Juan Cepeda, Your Honor.

13 THE COURT: Do you want to come on up, please.

14 THE WITNESS: (Complying.)

10:14:18 15 THE COURT: All right. Raise your right hand to  
16 be sworn, please.

17 (Witness sworn by the case manager through the  
18 interpreter.)

19 MR. PEREZ: His name is spelled Juan, J-u-a-n,  
10:14:38 20 Your Honor, last name Cepeda, C-e-p-e-d-a.

21 THE COURT: Are you ready?

22 THE INTERPRETER: Yes, sir. If I may, I just  
23 want to make sure that he can hear me. Sorry to  
24 interrupt, sir. Sorry about that, Judge.

10:15:40 25 THE COURT: Okay. Let's go.

1                                   **JUAN MANUEL CEPEDA,**  
2   having been first duly sworn, testified through the  
3   interpreter as follows:

4                                   **DIRECT EXAMINATION**

5   BY MR. PEREZ:

6   **Q.**   State your name for the Court and members of the jury,  
7   please, sir.

8   **A.**   Juan Manuel Cepeda.

9   **Q.**   And are you from Mexico, sir?

10:15:55 10   **A.**   Yes.

11   **Q.**   Did you come to our country in 2007 from Mexico?

12   **A.**   Yes.

13   **Q.**   Did you come by way of coyote?

14   **A.**   Yes.

10:16:12 15   **Q.**   When you arrived in 2007, where did you go to work?

16   **A.**   (Speaking Spanish.)

17                   THE INTERPRETER: He is not hearing me.

18                   THE COURT: I can't hear you. I can't hear  
19   anything.

10:16:35 20                   THE INTERPRETER: He says he hears my voice, but  
21   he can't make out my words.

22                   THE COURT: Why not? You can't hear what he is  
23   saying?

24                   THE INTERPRETER: No.

10:16:44 25                   THE COURT: Check the earphones, please.

1 THE INTERPRETER: Yes, sir.

2 THE COURT: Nobody else had a problem. Okay.

3 All right. Thank you.

10:17:33

4 **Q.** (By Mr. Perez) When you arrived in 2007, did you work  
5 for -- did you work somewhere, sir?

6 **A.** No. I cannot hear him. I can hear you, but I can't  
7 hear him.

8 THE INTERPRETER: Do you have a B?

9 THE INTERPRETER: Yes.

10:18:04

10 THE INTERPRETER: Let me get another headset.

11 THE COURT: Okay.

12 THE INTERPRETER: He says that when --

13 (Sotto discussion between interpreters.)

14 MR. PEREZ: May I proceed?

10:21:29

15 THE INTERPRETER: Please.

16 **Q.** (By Mr. Perez) All right. Anyway, you arrived in --

17 THE COURT: Do you have a mic on? You are going  
18 to need a mic. Do you have a mic?

19 MR. PEREZ: I have a mic, Your Honor. Let's try  
20 it again. Is everybody ready to go?

10:22:01

21 THE INTERPRETER: Yes, sir.

22 **Q.** (By Mr. Perez) You arrived -- I think you testified  
23 to this jury that you arrived in the United States from  
24 Mexico in 2007 by way of coyote; is that correct?

10:22:23

25 **A.** Yes.



1 THE COURT: All right. In the meantime, let's  
2 see if we can get those earphones fixed. Simultaneous  
3 will be much better. Is it only him that can't hear?

10:22:36

4 THE INTERPRETER: No, Your Honor. I just  
5 arrived. I will do it from here.

6 THE COURT: Is it truly something the matter with  
7 the --

8 THE INTERPRETER: There seems to be some sort of  
9 interference that wasn't here before.

10:22:49

10 THE INTERPRETER: Is that 2B?

11 MR. PEREZ: Mine doesn't work either, Your Honor.  
12 I keep pushing the button. It keeps going off.

13 THE COURT: We'll get this straight. Technology  
14 again.

10:23:08

15 MR. PEREZ: I had nothing to do with any of this,  
16 Your Honor.

17 THE COURT: I have got to look for somebody.

18 MR. PEREZ: That's what I'm afraid of.

10:23:32

19 THE COURT: And I'm afraid of Ellen. If all else  
20 fails, blame the battery. Ready to go?

21 MR. PEREZ: Yes, Your Honor.

22 THE COURT: Remind me not to touch any buttons up  
23 here. I haven't yet. We will start from square one  
24 again.

10:24:36

25 Ellen, are we all ready?

1 CASE MANAGER: We are, Your Honor.

2 THE COURT: Let's go. Thank you.

3 Q. (By Mr. Perez) State your name for the Court and  
4 members of the jury, please.

10:24:44

5 A. Juan Manuel Cepeda.

6 Q. And as I understand it, you arrived illegally in the  
7 United States from Mexico in 2007?

8 THE INTERPRETER: I am doing the Spanish?

9 THE INTERPRETER: Yes.

10:25:04

10 THE COURT: There. I think that's what you are  
11 qualified in Graciela, right?

12 THE INTERPRETER: Yes, sir.

13 THE COURT: I don't want to hear anything else  
14 except some four letter words floating around once in a  
15 while. They are pretty good in the interpreting business.

10:25:15

16 Q. (By Mr. Perez) The answer was yes; is that correct,  
17 sir?

18 A. Yes.

19 Q. And you arrived by coyote; is that right?

10:25:24

20 A. Yes.

21 Q. When you arrived in the United States, did you come to  
22 Houston, Texas?

23 A. Yes.

24 Q. And did you work at the -- for Tencha when you arrived  
25 in the United States?

10:25:37

1 **A.** Yes.

2 **Q.** Is Tencha in the courtroom here today?

3 **A.** Yes.

4 **Q.** Will you please point to her or describe what she is  
10:25:47 5 wearing for the Court and members of the jury, please,  
6 sir.

7 **A.** It's her. She is wearing a blouse, a dress, black and  
8 white.

9 **MR. PEREZ:** Will the record reflect this witness  
10:26:04 10 has identified the defendant, Tencha, in this case, Your  
11 Honor?

12 **THE COURT:** The record will so reflect.

13 **Q.** (By Mr. Perez) What were your job descriptions there  
14 working for Tencha?

10:26:16 15 **A.** Yes.

16 **Q.** What was your job description working for Tencha?

17 **A.** At the bar.

18 **Q.** Doing what, sir?

19 **A.** I sold beer.

10:26:32 20 **Q.** And what was the name of the place where you worked  
21 for Tencha at that time?

22 **A.** Las Palmas.

23 **Q.** And how long did you work at Las Palmas from the time  
24 you arrived until -- when was your last year of employment  
10:26:57 25 there at Las Palmas?

1 **A.** In 2012 -- 2013. Sorry.

2 **Q.** And was there -- did you eventually become, like,  
3 manager there at Las Palmas?

4 **A.** Yes.

10:27:19

5 **Q.** And when did that happen?

6 **A.** She used -- she had two places. She closed.

7 **Q.** What are the names of the two places?

8 **A.** One was La Feria, the other Las Palmas.

10:27:47

9 **Q.** And when you worked for her starting in 2007 you said  
10 you worked at Las Palmas?

11 **A.** I worked in La Feria, and at 4:00 she would open Las  
12 Palmas.

13 **Q.** So you worked at both places when you first started  
14 working for her?

10:28:05

15 **A.** Yes.

16 **Q.** And then in -- was there a guy named Flaco, who was  
17 kind of like the manager at that location when you  
18 arrived?

19 **A.** Yes.

10:28:15

20 **Q.** And in 2011 was Flaco arrested?

21 **A.** Yes.

22 **Q.** When Flaco was arrested, did you kind of like assume  
23 his position?

24 **A.** Yes.

10:28:31

25 **Q.** And then from 2011, after Flaco was arrested, you

1 worked for Tencha until what, October of 2013?

2 **A.** Yes.

3 **Q.** Were you arrested on June 6th, 2008?

4 **A.** Yes.

10:28:52

5 **Q.** And were you arrested by Jose Salazar from the Houston  
6 Police Department?

7 **A.** Yes.

8 **Q.** And up until that point did you know Deputy Edwin, the  
9 fellow sitting behind me?

10:29:07

10 **A.** No.

11 **Q.** Now, you knew there was prostitution going on from the  
12 time you arrived until 2013, is that correct, at Las  
13 Palmas and La Feria?

14 **A.** Yes.

10:29:24

15 **Q.** And when you were arrested on June the 6th, 2008, did  
16 you tell law enforcement about Tencha and the prostitution  
17 going on there at those locations when you were arrested  
18 by Jose Salazar?

19 **A.** No.

10:29:43

20 **Q.** And why not?

21 **A.** No. They didn't ask me about that. They just wanted  
22 to know her name.

23 **Q.** Did you tell them her name?

24 **A.** No.

10:30:02

25 **Q.** All right. Why didn't you tell them -- tell the law

1 enforcement her name?

2 **A.** Because she did not want anybody knowing she was the  
3 owner of the place.

4 **Q.** Okay. Did she have rules for -- strike that.

10:30:27

5 There was prostitution going on at that location,  
6 right?

7 **A.** Yes.

8 **Q.** And did she have rules about the prostitution and  
9 rules about the operation of the business there?

10:30:40

10 **A.** Yes.

11 **Q.** Tell the members of the jury the rules concerning the  
12 time the prostitutes were supposed to show up at that  
13 location.

14 **A.** Yes.

10:30:57

15 **Q.** What were the rules about the time the girls were  
16 supposed to arrive?

17 **A.** They had to arrive there from 5:00 -- from 5:00 in the  
18 afternoon until 2:00 in the morning; and on the weekends  
19 they had to arrive at 4:00 in the afternoon until 5:00 in  
20 the morning.

10:31:29

21 **Q.** Now, when you first started work -- started working  
22 there, there were rules involving the pimps, right?

23 **A.** (Speaking Spanish.)

24 MR. FAZEL: Objection, nonresponsive.

10:31:42

25 THE COURT: Well, I guess sustained.

1 Q. (By Mr. Perez) What were the rules concerning the  
2 pimps?

3 A. Would you repeat, sir.

4 Q. What were the rules regarding the pimps?

10:31:59

5 A. That they shouldn't be there.

6 Q. Where?

7 A. Let's say inside the business or outside the business.

8 Q. Now, was that the rule at the beginning when you  
9 started working there; or did those rules change after a

10:32:20

10 certain time after you worked there?

11 A. I imagine it was at --when I -- it was different  
12 rules; but after I was there, there were different rules.

13 Q. Okay. What were the rules when you worked there?

14 A. In reference to the pimps?

10:32:46

15 Q. Yes.

16 A. First, they should drop them off. And then, it  
17 changed; and they shouldn't drop them off. They should  
18 only use taxis.

19 Q. Was there any rules concerning minors?

10:33:13

20 A. No.

21 Q. Okay. If anybody arrived to work as a prostitute and  
22 they looked very young, was it the policy for them to  
23 produce an ID?

24 A. Yes.

10:33:29

25 Q. And who made the rules there at that business?

1 A. She did.

2 Q. (Speaking Spanish) Excuse me. "She" being Tencha?

3 A. Yes.

4 Q. Did you tell her that you were illegally in the  
10:34:02 5 country when you worked for her?

6 A. Yes.

7 Q. What did you tell her in reference to your status in  
8 the country when you worked for her?

9 A. Nothing. That I should get to work.

10:34:26 10 Q. How much did you get paid for working for Tencha, sir?

11 A. \$6 an hour.

12 Q. And was there any issue -- let me ask you this: Did  
13 you sell Corona there?

14 A. Yes.

10:34:46 15 Q. The beer Corona?

16 A. Yes.

17 Q. Where is the beer Corona made?

18 A. In Mexico.

19 Q. Now, after you were arrested by Jose Salazar in 2008,  
10:35:00 20 were you deported?

21 A. No.

22 Q. You weren't deported at the time you were arrested;  
23 but after he arrested you, were you deported to Mexico?

24 A. No.

10:35:15 25 Q. Have you ever been deported to Mexico?



1 **A.** Yes.

2 **Q.** Let me ask it to you this way: When were you deported  
3 to Mexico?

4 **A.** About 2009.

10:35:33

5 **Q.** You were arrested by Jose Salazar in 2008?

6 **A.** Yes.

7 **Q.** So you were deported to Mexico after you were arrested  
8 by Jose Salazar?

9 **A.** Yes.

10:35:53

10 **Q.** At some point you decided that you wanted to work with  
11 law enforcement?

12 **A.** Yes.

13 **Q.** Who did you contact that you -- when you wanted to  
14 work for law enforcement?

10:36:11

15 **A.** Edwin.

16 **Q.** Is that the fellow sitting behind me?

17 **A.** Yes.

18 **Q.** Were you going to contact somebody else in law  
19 enforcement besides Edwin?

10:36:25

20 **A.** No.

21 **Q.** Did you think about contacting Jose Salazar before you  
22 contacted Edwin?

23 **A.** (Speaking Spanish.)

24 **Q.** Just answer yes or no, please.

10:36:43

25 **A.** Yes. First I wanted to contact Jose Salazar.

1 MR. FAZEL: Objection, nonresponsive.

2 THE COURT: Sustained.

3 Q. (By Mr. Perez) You wanted to contact Jose Salazar  
4 before you contacted Edwin?

10:36:55

5 A. Yes. Yes.

6 Q. All right. Why did you want to contact Jose Salazar?

7 MR. FAZEL: Objection.

8 A. (Speaking Spanish.)

9 THE COURT: Hold it.

10:37:00

10 MR. FAZEL: Relevance, Your Honor.

11 THE COURT: Overruled.

12 A. Because I -- because I already -- I had already met  
13 him for the time -- from the time he had been to the bar.

14 Q. (By Mr. Perez) And again, why did you want to contact  
15 him? What did you want to tell him?

10:37:24

16 A. All the unfair things that were going on there.

17 Q. What unfair things were occurring there, sir?

18 A. Well, the -- well, the way they dressed. They wore  
19 very short clothes.

10:37:51

20 Q. Who wore very short clothes?

21 A. The girls who worked there, the prostitutes.

22 Q. Did you tell Tencha about the fact that you didn't  
23 like the way they were dressed?

24 A. Yes.

10:38:05

25 Q. What did she tell you?

1 **A.** That I let them be.

2 **Q.** What other injustices did you perceive that you wanted  
3 to report to Jose Salazar?

4 **A.** Well, I thought there was -- I would see two or three  
5 girls who were very young.

10:38:25

6 THE COURT: Very what?

7 THE INTERPRETER: Young.

8 THE COURT: Okay.

9 **Q.** (By Mr. Perez) And did you tell Tencha about your  
10 concern about them being very young?

10:38:35

11 **A.** Yes.

12 **Q.** What did she tell you about that concern that you had?

13 **A.** That I let them be. That it was okay. That if they  
14 showed an ID, that was okay.

10:38:54

15 **Q.** Any other injustice that you perceived Tencha was  
16 doing there?

17 **A.** That she wanted to charge them for eating there every  
18 time they took their own -- every time they took food  
19 there.

10:39:16

20 **Q.** Why did that bother you, sir?

21 MR. FAZEL: Objection to relevance, Your Honor.

22 THE COURT: Pardon me?

23 MR. FAZEL: Objection to relevance.

24 THE COURT: What is the relevance?

10:39:24

25 MR. PEREZ: The relevance, Your Honor, is why did

1 he make contact with law enforcement. He just didn't show  
2 up at law enforcement one day.

3 THE COURT: Overrule the objection. Go ahead.

4 Q. (By Mr. Perez) Do you want me to repeat the question?

10:39:37

5 A. Yes.

6 Q. You said it bothered you that she would charge them  
7 for bringing food or for eating at the location or  
8 bringing food to the location, right?

9 A. Yes.

10:39:46

10 Q. Why did that bother you so much?

11 A. Well, because she wanted everything to be bought  
12 there. Let's say from a bottle of water to the food.

13 Q. Did you have a conversation -- anything else that  
14 bothered you?

10:40:13

15 A. She also would say that the women shouldn't just stand  
16 around in one place, that they should play games. That  
17 way the money they spent -- that the girls spent playing  
18 in the slot machines, in the machines, that would be for  
19 her.

10:40:43

20 Q. Did you, in fact, contact Jose Salazar?

21 A. No.

22 Q. Why didn't you contact Jose Salazar?

23 A. Because one of the -- because one of the girls told me  
24 that she had one -- a police officer's card. That this

10:41:27

25 police officer had treated her very well and that he

1 would -- that he was helping her. And so I asked her for  
2 her card. So she gave it to me. So I contacted him.

3 **Q.** And that card belonged to Edwin, the fellow sitting  
4 behind me?

10:41:42

5 **A.** Yes.

6 **Q.** Did you call Mr. Edwin?

7 **A.** Yes.

8 **Q.** Did he talk to you?

9 **A.** Yes.

10:41:50

10 **Q.** And after you called him, did you and he, in fact,  
11 meet?

12 **A.** Yes.

13 **Q.** Where did you all meet? Do you recall?

14 **A.** Yes.

10:41:59

15 **Q.** Where?

16 **A.** At the Lowe's parking lot.

17 **Q.** Was he by himself?

18 **A.** No.

19 **Q.** He was with another officer?

10:42:12

20 **A.** Yes.

21 **Q.** Were you by yourself?

22 **A.** Yes.

23 **Q.** Were you a little concerned about meeting up with  
24 Deputy Edwin?

10:42:21

25 **A.** Yes.

1 Q. What was your concern?

2 A. I didn't know if he was going to believe what I was  
3 going to tell him.

4 Q. Did you, in fact, when you first met him, tell him the  
5 whole truth?

10:42:37

6 A. Yes.

7 Q. And what did you tell him the first time you met him?

8 A. Edwin?

9 Q. Yes.

10:42:49

10 A. Well, what was going on at the place.

11 Q. After you met with him and you told him what was  
12 happening at the location, did you become -- did you start  
13 working for law enforcement by way of Edwin?

14 A. Yes.

10:43:07

15 Q. And did you record some conversations with Tencha in  
16 your role as a helper for Deputy Edwin?

17 A. Yes.

18 Q. Did you provide him with information regarding what  
19 was happening at the location, at Las Palmas and La Feria?

10:43:40

20 A. Yes.

21 Q. For example, P-27. What is P-27, sir?

22 A. Well, that's a box.

23 THE COURT: Say it again. Hold it.

24 THE INTERPRETER: Sorry, Your Honor.

10:43:57

25 THE COURT: Go on. Answer the question.

1 Q. (By Mr. Perez) You can answer the question, sir.

2 A. This is where -- this is a box where they had the  
3 condoms; and the box has 48, four different kinds of  
4 condoms.

10:44:15 5 Q. So it's 48 boxes of condoms in this box?

6 A. Yes.

7 Q. And each box contains how many condoms?

8 A. Three.

9 Q. And, in fact, is government -- I'm sorry. Government  
10:44:30 10 Exhibit 27, is this the box that you gave Deputy Edwin as  
11 part of your helping him?

12 A. Yes.

13 Q. In fact, it still has condoms inside?

14 A. Yes.

10:44:44 15 Q. P-1, can you tell the Court and the members of the  
16 jury if Las Palmas is depicted and La Feria is depicted on  
17 P-1?

18 A. Yes.

19 Q. How about P-2?

10:45:22 20 MR. PEREZ: Judge, could you turn down the lights  
21 a little bit.

22 THE COURT: Oh, sure.

23 Q. (By Mr. Perez) Okay. What is depicted on P-2?

24 A. It's Las Palmas; and then, they changed the name to  
10:45:41 25 Nuevo Amanacer.

1 Q. And when was the name changed from Las Palmas to Nuevo  
2 Amanacer?

3 A. In 2012.

4 Q. Is that when somebody else allegedly ran the Nuevo  
5 Amanacer instead of --

6 MR. FAZEL: Object to the form of the question.  
7 It's argumentative.

8 THE COURT: Sustained. It's not argumentative.  
9 It's too leading. Rephrase it.

10 Q. (By Mr. Perez) All right. When was the name changed  
11 from Las Palmas to Nuevo Amanacer?

12 A. 2012.

13 Q. Is there any significance to 2012 in terms of  
14 ownership of Las Palmas and Nuevo Amanacer?

15 A. Well, some pimps rented it.

16 Q. How many pimps were there that rented it?

17 A. Three.

18 Q. And before those three pimps rented it, was there  
19 another pimp who was going to rent it?

20 A. Yes.

21 Q. What was his name?

22 A. Poncho.

23 Q. Was Poncho also a pimp?

24 A. Yes.

25 Q. Do you know if Poncho and Tencha were -- had a



1 long-standing friendship?

2 **A.** Yes.

3 **Q.** Would Poncho supply girls to Las Palmas and Nuevo  
4 Amanacer because of a friendship with Tencha?

10:47:09

5 **A.** Yes.

6 **Q.** P-3, what is depicted on P-3, sir?

7 **A.** Some switches. It's the switches. One, the black  
8 switch, is to warn. We would turn it on if the police  
9 came.

10:47:39

10 **Q.** And where is that switch located?

11 **A.** At the entrance to Las Palmas.

12 **Q.** Did the switch remain there after it was changed to  
13 Nuevo Amanacer?

14 **A.** Yes.

10:47:55

15 **Q.** How about P-4? Can you tell the members of the jury  
16 what is depicted on P-4?

17 **A.** Yes.

18 **Q.** What is depicted on P-4?

19 **A.** On the inside, if you put your hand in there, there is  
20 the key to the booth for the entrance door. There was  
21 a -- there was a bell that you would push, and it would  
22 sound. It would ring upstairs. And that was to warn --  
23 in case the police were there, to warn people not to open  
24 the rooms.

10:48:31

10:48:56

25 **Q.** Which rooms, sir?

1 A. Well, the bell was there.

2 Q. You mentioned something about closing the rooms.

3 Which rooms?

4 A. The rooms where the prostitutes went to have sex

10:49:21

5 upstairs.

6 Q. How about P-5? What is depicted on P-5?

7 A. The orange light bulb was inside. It was also placed

8 there to warn the girls that either something was wrong or

9 the police was there and it was to alert the girls not to

10:49:59

10 go there.

11 Q. How about P-10? What is depicted on P-10?

12 A. That's a door for a room for a prostitute to go into.

13 Q. And as you are facing P-10, that would be the entrance

14 and the room to your left; is that correct?

10:50:26

15 A. Yes.

16 Q. How about P-11? What is P-11?

17 A. It's the same but from inside the room.

18 Q. Okay. So that's a picture showing the inside of the

19 room that was depicted to the left?

10:50:51

20 A. Yes.

21 Q. What about P-23? What is P-23? Who is depicted on

22 P-23?

23 A. That's a prostitute.

24 Q. And whose prostitute was she?

10:51:13

25 A. Poncho's.

1 Q. And is that Poncho, the friend of Tencha?

2 A. Yes.

3 Q. How old do you think -- does that girl look pretty  
4 young to you?

10:51:26

5 MR. FAZEL: Objection to the form of the  
6 question. It's speculation.

7 THE COURT: Well, it's a multifarious question.  
8 Ask it again. I'm not saying you can't.

10:51:38

9 Q. (By Mr. Perez) The girl depicted on P-23, does she  
10 look pretty young?

11 A. Yes.

12 Q. Is there anything significant about the girl that you  
13 remember her working there at Las Palmas?

10:51:58

14 A. Well, she was pregnant; and she would work like that  
15 there.

16 Q. That was Poncho's girl; is that right?

17 A. Yes.

18 Q. Let me ask you this: P-8, do you recognize -- sorry  
19 to cover you back there, Buddy.

10:52:18

20 Do you recognize anybody on Government B, somebody who  
21 is identified as Poncho?

22 A. (Pointing.)

23 Q. This is the fellow you identified as Poncho?

24 A. Yes. Yes.

10:52:37

25 Q. How about P-39? What is depicted on P-39?

1 **A.** That is the door where the prostitutes came in.

2 **Q.** Is that a rebuilt door?

3 **A.** Yes. Yes.

4 **Q.** Why was it rebuilt?

10:53:13

5 **A.** That's a new door. It's one time the police arrived,  
6 they took it down; and they rebuilt it.

7 **Q.** Okay. The police took it down. And then, Tencha had  
8 it rebuilt?

9 **A.** Yes.

10:53:26

10 **Q.** How about P-41?

11 **A.** It's the condoms.

12 **Q.** Which condoms, sir?

13 **A.** The --

10:53:48

14 THE MARSHAL: Your Honor, the jury is requesting  
15 the monitors be turned on in the courtroom.

16 THE COURT: Okay. Absolutely.

17 THE MARSHAL: Thank you.

18 JURORS: Thank you.

19 THE COURT: Okay. No problem.

10:54:08

20 MR. PEREZ: May we turn down the lights, as well,  
21 Your Honor?

22 THE COURT: Yes.

23 MR. PEREZ: Thank you.

10:54:14

24 **Q.** (By Mr. Perez) Okay. What is depicted on P-41,  
25 again, sir?

1 **A.** Those are the condoms. Those are the condoms that  
2 come in the three-pack.

3 **Q.** And those were the condoms used at Tencha's  
4 prostitution room?

10:54:29

5 **A.** Yes.

6 **Q.** How about P-45? What is depicted on P-45?

7 **A.** It's a backpack with the condom box, and the box is  
8 from the time they started working.

9 **Q.** Who would give you the backpack depicted on P-45?

10:54:55

10 **A.** Tencha.

11 **Q.** Okay. How about P-45C? What is depicted on P-45C?

12 **A.** It's the front of the condom box.

13 **Q.** How about P-45A?

14 **A.** That's the condom box. It's a large box. There are  
15 four different smaller condom boxes.

10:55:34

16 **Q.** Again, this was the box that Tencha gave you for use  
17 there at the prostitution house?

18 **A.** Yes.

19 **Q.** How about P-45B? What is depicted on P-45B?

10:55:58

20 **A.** That's the back of the condom boxes.

21 **Q.** And this -- again, this was the condoms or box of  
22 condoms that was given to you by Tencha?

23 **A.** Yes.

24 **Q.** It says to the left, "Distributed in Compton,

10:56:16

25 California, USA"?

1 A. Yes.

2 Q. And it's also made in -- it says, "Made in Korea," as  
3 well?

4 A. Yes. Yes.

10:56:27 5 Q. P-69, who is depicted on P-69?

6 A. That's a prostitute who was working there.

7 Q. And do you know her name?

8 A. I don't remember off the top of my head.

9 Q. How about P-40? What is depicted on P-40, sir?

10:57:06 10 A. This is the report from the booth and the room where  
11 women went into.

12 Q. Okay. What does it say at the very top? It says  
13 t-i-k-e-s. What is that?

14 A. The tickets. That's the cover from the people when  
10:57:37 15 they came in from the outside.

16 Q. How about "mujeres"? What does that signify?

17 A. "Mujeres," women. "Mujeres" means the women, the  
18 prostitutes who went into the room.

19 Q. Does this keep tabs of the number of women who had sex  
10:57:58 20 there at the location?

21 A. Yes. On the top it says the -- the top gives you the  
22 time they started, and the bottom part gives you the time  
23 they entered.

24 Q. How about the bottom where it says "depositos," what  
10:58:21 25 is that?

1 **A.** That's when they gave them an amount so they could  
2 make change. It's for \$100.

3 **Q.** And it says "Marta," who is Marta?

4 **A.** Marta is a woman who used to work there.

10:58:34

5 **Q.** And how about the figures below "Marta," what is that?

6 **A.** They are numbers. It means the amounts that go in  
7 there and the bills.

8 **Q.** For example, it says "five hyphen three." What is the  
9 significance of that?

10:59:00

10 **A.** Yes. It's three, five and so on and so forth, for  
11 instance.

12 **Q.** Now, who would give that? Who would -- would that be  
13 given to you?

14 **A.** Yes. At the end I would collect it and would put it  
15 and would keep it.

10:59:26

16 **Q.** Is that your handwriting?

17 **A.** No.

18 **Q.** Do you know whose handwriting that is?

19 **A.** Yes.

10:59:34

20 **Q.** Whose handwriting is that?

21 **A.** That's Marta's.

22 **Q.** So then Marta would give it to Tencha; is that right?

23 **A.** No. They gave it -- they gave it -- they gave me the  
24 reports, and I would hand them to her.

10:59:51

25 **Q.** To "her" meaning Tencha?

1 **A.** (Speaking Spanish.)

2 **Q.** Excuse me. That would be written by Marta. She would  
3 then give it to you, and then you would give it to Tencha?

4 **A.** Yes.

11:00:06

5 **Q.** How about P-42? What is depicted on P-42?

6 **A.** That is the door from the outside when it was rebuilt  
7 after the police took it down.

8 **Q.** How about P-43? You were going to say something about  
9 P-42?

11:00:33

10 **A.** No. That's all right. It's all right.

11 **Q.** How about P-43?

12 **A.** It's the same door but after it was finished, the door  
13 was finished.

14 **Q.** How about P-44?

11:00:52

15 **A.** That's a small door that was built there to bring beer  
16 from La Feria to the other business.

17 **Q.** Well, explain that. You say there was beer being  
18 given from La Feria to Las Palmas?

19 **A.** Yes.

11:01:17

20 **Q.** You were going to say something. Go ahead.

21 **A.** Yes. Since she didn't have a license, we kept the  
22 iceboxes at La Feria. And then, we would take the beer  
23 over to Las Palmas through that small door.

24 **Q.** And that was done at the direction of Tencha?

11:01:50

25 **A.** Yes.



1 Q. How about P-46? What is depicted on P-46?

2 A. That's a roll of tickets.

3 Q. Is that an example of the tickets you were talking  
4 about earlier?

11:02:09

5 A. Yes.

6 Q. Now, I'm going to ask you if you can identify any  
7 people depicted on Government Exhibit B.

8 A. Yes.

9 Q. Do you recognize this fellow named El Pantera?

11:02:31

10 A. Yes.

11 Q. Who is El Pantera?

12 A. The pimp who rented Las Palmas.

13 Q. From Tencha and that would be in, what, November of  
14 2012?

11:02:47

15 A. Yes.

16 Q. How about the fellow identified as Chico?

17 A. That's Tencha's brother.

18 Q. What was his role there at Las Palmas?

19 A. He was in the parking lot.

11:03:07

20 Q. Do you know what his duties were there in the parking  
21 lot?

22 A. He just went there on the weekends, and he would  
23 charge for parking. That's all.

24 Q. You said something else. How about Alberto

11:03:28

25 Mendez-Flores? Who was Alberto Mendez-Flores also known

1 as Ardilla?

2 **A.** He is another pimp. He was also renting Las Palmas.

3 **Q.** Along with Pantera?

4 **A.** Yes.

11:03:45

5 **Q.** How about Jorge Teloxa-Barbosa also known as Eli? Do  
6 you recognize that person?

7 **A.** Yes, I recognize him. He was also renting Las Palmas.

8 **Q.** Along with Ardilla and El Pantera?

9 **A.** Yes.

11:04:03

10 **Q.** You have already identified Poncho. How about La  
11 Morena?

12 **A.** She is Tencha's nephew -- niece. I'm sorry.

13 **Q.** What was her role there at Las Palmas?

14 **A.** For a time there she would charge for the rooms; and  
15 after that, she would tend the bar.

11:04:23

16 **Q.** How about David Garcia? Do you recognize that person?

17 **A.** Yes.

18 **Q.** Who is he?

19 **A.** He is Tencha's son.

11:04:35

20 **Q.** Did you ever see him there at the location?

21 **A.** Yes.

22 **Q.** Basically, what was his job, if anything?

23 **A.** He gave -- he upkeep -- he gave maintenance to the  
24 billiards table.

11:04:57

25 **Q.** How about Delia Garcia-Diaz, do you recognize her?

1 **A.** She is Tencha's daughter.

2 **Q.** What was her role there at the location?

3 **A.** For a time she was at La Feria. After that, she  
4 wasn't there anymore.

11:05:19

5 **Q.** Do you remember what year she wasn't there anymore?

6 **A.** About 2007 when I was there she didn't work. She  
7 didn't last very long there.

8 **Q.** You are saying she wouldn't go there; or she just  
9 didn't have anything to do with that location, if you

11:05:42

10 know?

11 **A.** She was in charge of -- she was the person in charge  
12 there.

13 **Q.** In charge of what?

14 **A.** La Feria.

11:05:59

15 **Q.** How about Diana Medeles-Garcia?

16 **A.** She is Tencha's daughter.

17 **Q.** Did you ever see her there at the prostitution house?

18 **A.** No.

19 **Q.** How do you know that's her daughter?

11:06:22

20 **A.** I would take -- I went to -- I went to give the money  
21 for Tencha several times.

22 **Q.** How about Guadalupe Valdez-Lugo? Do you recognize  
23 her?

24 **A.** Yes. Yes.

11:06:44

25 **Q.** What, if anything, did she have to do with anything at

1 Las Palmas?

2 **A.** Tencha had put her to work as the person in charge  
3 there.

4 **Q.** Do you recall what year she started there?

11:07:04

5 **A.** About 2011. She didn't last very long.

6 **Q.** About how long did she last, if you know?

7 **A.** Not exactly but about six months.

8 **Q.** How about Lilia Cerda? Do you recognize her?

9 **A.** She is Tencha's sister.

11:07:41

10 **Q.** And did she work there?

11 **A.** Yes.

12 **Q.** What was her role there at that location?

13 **A.** When I started working there, she charged for the  
14 rooms upstairs.

11:07:56

15 **Q.** And then, did she continue to do that; or did she --  
16 what happened?

17 **A.** No. She left and not anymore.

18 **Q.** How about Graciela Ochoa? Do you recognize that  
19 person?

11:08:10

20 **A.** Yeah. She is Tencha's daughter.

21 **Q.** What role, if any, did she play at that location, as  
22 far as you know?

23 **A.** No. She always didn't go there.

24 **Q.** Okay. And then you have identified Tencha. Do you  
25 recognize the other fellow named Chacho?

11:08:26

1 **A.** Chacho was charging for the parking. At first he  
2 would charge the cover at the entrance booth, but then he  
3 would charge for the parking.

4 **Q.** Was he related to Tencha, if you know?

11:08:54 5 **A.** Yes. He was married to one of her granddaughters.

6 **Q.** How about this fellow named Jose Uraga also known as  
7 Wicho? Do you recognize that person?

8 **A.** Before I started working at Las Palmas, he was working  
9 there at Las Palmas with Tencha.

11:09:18 10 **Q.** But he didn't work there at the time you worked there;  
11 is that right?

12 **A.** No.

13 **Q.** Now, during the time that you worked helping Deputy  
14 Edwin investigate this organization, did you make some  
11:09:56 15 recordings?

16 **A.** Yes.

17 **Q.** And what method did you use to take these recordings?

18 **A.** A phone.

19 **Q.** Did you work with Deputy Edwin and tell him you were  
11:10:13 20 going to do this when you started working for him?

21 **A.** Yes.

22 **Q.** So you had permission from Deputy Edwin to do these  
23 recordings there with Tencha?

24 **A.** Yes.

11:10:26 25 **Q.** After you made these recordings, what would you do

1 with those recordings?

2 **A.** I gave them to him.

3 **Q.** And you would give them to Deputy Edwin?

4 **A.** Yes.

11:10:41

5 **Q.** Before testifying here today, did you have occasion to  
6 listen to some recordings, more specifically about six  
7 recordings?

8 **A.** Yes.

11:11:20

9 **Q.** I show you what's been marked as Government Number A-4  
10 and then there is some red lettering on A-4. Whose  
11 initials are on A-4 with the letters "JMC"?

12 **A.** Mine.

13 **Q.** Did you actually yourself write "JMC" on there?

14 **A.** Yes.

11:11:35

15 **Q.** And next to it is a date 3-28-15?

16 **A.** Yes.

17 **Q.** Is that your handwriting, as well?

18 **A.** Yes.

11:11:47

19 **Q.** And per Edwin -- Mr. Edwin's instructions, once you  
20 listened to the tape and you verified that, in fact, what  
21 was on the tape was, in fact, what you had recorded, did  
22 you put your initials on A-4, this disk?

23 **A.** Yes.

11:12:20

24 **Q.** And did Edwin, you and I then look at A-4a, which is a  
25 translation, although in English, of the recording that

1 was depicted on A-4; and after Deputy Edwin read it to  
2 you, is this a true and accurate reflection of what -- a  
3 translation of what is heard on Government Exhibit Number  
4 A-4?

11:12:43

5 **A.** Yes.

6 **Q.** Okay. A-8, is this also the disk that you listened  
7 to?

8 **A.** Yes.

11:13:02

9 **Q.** And there is some initials on this disk, "JMC,  
10 3-28-15." Whose initials are they, and who wrote those  
11 initials there?

12 **A.** I.

13 **Q.** And the same thing with the date?

14 **A.** Yes.

11:13:10

15 **Q.** And is 3-28-15 the date that you listened to these  
16 recordings?

17 **A.** Yes.

18 **Q.** Government Exhibit Number A-8a, which is a translation  
19 in English, did Deputy Edwin interpret A-8a or translate  
20 A-8a; and is it a true and accurate transcript of what is  
21 recorded on Government A-8?

11:13:29

22 **A.** Yes.

23 **Q.** And A-9, this is also a CD. It has got the initials  
24 "JMC, 3-28-15." Are those your initials, and is that the  
25 date you wrote on this CD?

11:13:54

1 **A.** Yes.

2 **Q.** Did you listen to the recording, and is it a true and  
3 accurate recording of what transpired on that date on  
4 3-28-15?

11:14:08

5 **A.** Yes.

6 **Q.** And A-9a, this is a transcript, although in English,  
7 of the recording made on A-9 and did Deputy Edwin read it  
8 to you and is it a true and accurate depiction of the  
9 translation as recorded on A-9?

11:14:26

10 **A.** Yes.

11 **Q.** There is some initials on A-10, and it's a CD. It's  
12 got the initials "JMC, 3-28-15." The same question, sir.  
13 Did you listen to this recording, and is it a true and  
14 accurate depiction or reflection of the recording that you  
15 did with Tencha?

11:14:44

16 **A.** Yes.

17 **Q.** Okay. And A-10a, the same question. Is this a  
18 transcript of what is on A-10 and did Deputy Edwin read it  
19 to you and is it a true and accurate translation of the  
20 recording as it is captured on A-10?

11:15:01

21 **A.** Yes.

22 **Q.** A-11, also a CD with a recording; and it's got the  
23 initials "JMC, 3-28-15." Are those your initials, and did  
24 you write the date there?

11:15:21

25 **A.** Yes.



1 Q. And again, did it capture a recording made between you  
2 and Tencha on this date?

3 A. Yes.

4 Q. And A-11a is a transcript. Even though it's in  
5 English, did Deputy Edwin read it to you; and is it a true  
6 and accurate translation of the recording contained on  
7 A-11?

8 A. Yes.

9 Q. And is Government Exhibit A-12 a CD which contains a  
10 recording between you and Tencha?

11 A. Yes.

12 Q. Is that accurate?

13 A. Yes.

14 Q. And there is initials, and it's dated 3-28-15 with the  
15 initials "JMC." Again, is this the date when you listened  
16 to the recording and are those your initials and you wrote  
17 them there, as well?

18 A. Yes.

19 Q. And last question. On A-12a, this is a translation.  
20 It's in English, but Deputy Edwin read it to you. Does it  
21 capture -- the translation capture what was recorded on  
22 Government Exhibit A-12?

23 A. Yes.

24 Q. Now, I know you mentioned that you used your phone to  
25 record these conversations you had with Tencha in working

1 with Deputy Chapuseaux, Deputy Edwin, right?

2 **A.** Yes.

3 **Q.** Were there sometimes situations where you would record  
4 her and then sometimes where you wouldn't have time to  
11:17:09 5 record it? Explain that to the members of the jury,  
6 please, sir.

7 **A.** Sometimes when I would -- when I was going to record,  
8 well, I didn't know beforehand what she was going to tell  
9 me. When she was talking and she was saying something, I  
11:17:37 10 would put the phone on. We were talking and then I would  
11 turn around or bend down and I would take the phone out  
12 and put it on or I would go out for a minute or two and  
13 then come back because I couldn't have the phone out.

14 THE COURT: Now, at any time did you wear a wire,  
11:18:08 15 a concealed wire?

16 THE WITNESS: No.

17 THE COURT: All by telephone, all the recordings?

18 MR. PEREZ: Yes, Your Honor.

19 THE WITNESS: Yes. Pardon. Excuse me.

11:18:30 20 (Speaking Spanish.)

21 MR. FAZEL: Objection, Your Honor. The witness  
22 is testifying without a question being posed.

23 THE COURT: Sustained. Okay. Question.

24 **Q.** (By Mr. Perez) You were going to tell the Court

11:18:39 25 something in answer to his question. What were you going

1 to tell the Court?

2 MR. FAZEL: Objection to the question.

3 THE COURT: Overruled. He is going to tell it to  
4 me. I have no idea what is coming. If you hear it, stop  
11:18:49 5 him. I'll leave it up to you whether it's objectionable  
6 or not before we translate it. That's the best I can do.  
7 Okay. Go on.

8 THE WITNESS: Well, I used the phone to record  
9 face-to-face. And it was -- when it was phone to phone, I  
11:19:15 10 had the recorder. That's when I used something else to  
11 record it from phone to phone.

12 Q. (By Mr. Perez) Okay. Now, I want to direct your  
13 attention to June 28th, 2012. And in that conversation  
14 there is discussion about Tencha wanting to sell the  
11:19:46 15 location?

16 A. Yes.

17 Q. And, in essence, if you could break it down just to in  
18 a nutshell, what was the conversation about that was  
19 captured on June 28th, 2012, that Tencha wanted to sell  
11:20:03 20 the location for, I think, \$450,000?

21 A. Four hundred fifty.

22 Q. \$450 or \$450,000?

23 A. Thousand.

24 Q. And what was that all about?

11:20:19 25 MR. FAZEL: Judge, I'm going to object to the

1 form of the question. If the recording is there, they can  
2 play the recording. What was that all about is something  
3 I can't object to.

11:20:29

4 MR. PEREZ: Well, I can read it to him, Your  
5 Honor. We can go that route. I was trying to save the  
6 Court some time. I can do it that way. I can read it.

7 THE COURT: All right. Read it then.

8 MR. PEREZ: All right.

11:20:49

9 **Q.** (By Mr. Perez) On June 28, 2012, it says here that  
10 you -- it says, "I was going to -- that -- that is what I  
11 was going to ask you about that. He was asking -- a -- a  
12 man, the -- the one who does maintenance here, that you  
13 told him that you were going to sell the place."

14 **A.** Yes.

11:21:13

15 THE INTERPRETER: (Speaking Spanish.)

16 MR. FAZEL: Senor, I'm sorry. You are reading it  
17 in Spanish.

18 MR. PEREZ: Your Honor, he has got to do it in  
19 Spanish so that he can agree with it or not.

11:21:24

20 MR. FAZEL: She has already translated it.

21 THE INTERPRETER: I already did it, sir.

22 MR. PEREZ: Oh, all right.

23 **Q.** (By Mr. Perez) All right. Do you recall that  
24 conversation, sir?

11:21:36

25 **A.** Yes.

1 Q. And then, she answers, "Oh, yes. Yes." Do you recall  
2 that?

3 A. Yes.

11:21:48

4 Q. And then you say, "Because he says, 'And why is she  
5 going to sell?' I told him, 'Well, I don't -- don't know  
6 but I don't think so.' He tells me, 'Yes.' He says,  
7 'It's because she told me.'"

8 Do you recall that?

9 A. Yes.

11:21:57

10 Q. And then she says, "Yes, I did tell him. Well, I do  
11 want to sell this here."

12 And that is referring to Las Palmas and La Feria?

13 A. The whole property.

14 Q. Okay. It says here, "The property?"

11:22:16

15 And she says, "Yes, everything."

16 Consistent with what you just said?

17 A. Yes.

18 Q. And you say, "Everything included?"

19 She says, "Everything. Everything included."

11:22:31

20 A. Yes.

21 Q. Okay. Then, among other things, it says, you say,  
22 "Forty-five. 45,000?"

23 She then says, "Four hundred thousand."

24 A. Yes.

11:22:44

25 Q. You then say, "Four hundred and fifty thousand

1 dollars?"

2 She says, "That's it."

3 You say, "That's what you want for the property?"

4 She says, "Uh-huh."

11:22:52

5 You say, "As-is?"

6 And she says, "Yes."

7 **A.** Yes.

8 **Q.** I'm going to direct your attention to October the  
9 17th, 2012. And this conversation that you just had with

11:23:19

10 her was person to person, right?

11 **A.** Yes.

12 **Q.** And October the 17th, 2012, it says she -- Tencha  
13 says, "I just wanted to tell you that -- but you are going  
14 to have to get the -- the guy for the bar, someone for the  
15 bar that -- someone who will not run when the police comes  
16 in because that is what -- what makes them angry."

11:23:41

17 Do you recall that conversation she had with you?

18 **A.** Yes.

19 **Q.** Again, this is person to person?

11:23:53

20 **A.** Excuse me. I think that was on the telephone.

21 **Q.** Okay. And she says, "Uh-huh. You just kind of tell  
22 him, 'I'm not the one in charge here.'"

23 You say, "Yes."

24 Then she says, "The one who manages is the one who is

11:24:23

25 renting."

1 "Uh-huh."

2 "We'll say the man who is renting."

3 Can you explain to the members of the jury what that  
4 conversation was all about?

11:24:31

5 MR. FAZEL: Your Honor, I'm going to object to  
6 this line of questioning. The conversation is in  
7 evidence. The jury can read for themselves. I can't -- I  
8 don't even know how to object to that question to begin  
9 with.

11:24:41

10 THE COURT: Sustained.

11 Q. (By Mr. Perez) Okay. Then she says, "-- leave all  
12 the women that -- that it is being rented."

13 You say, "Yes, in other words -- "

14 She says, "It's being rented because I'm just looking  
15 after things here."

11:24:55

16 Do you recall that?

17 A. Yes.

18 Q. And she also says, "Uh-uh. No. Do not mention me."

19 You said, "Right. That you rented it out to a -- to  
20 someone."

11:25:10

21 She says, "Oh, yes."

22 Then you say, "-- that person asked me to help them  
23 for the time being."

24 And she says, "Yes."

11:25:20

25 You say, "Is that what you want?"

1 She says, "Yes. All right."

2 So let me ask you something. During the time that  
3 this conversation took place, in your conversations with  
4 her did she want to get -- did she want to distance  
5 herself from that location?

11:25:34

6 **A.** (Speaking Spanish.)

7 MR. FAZEL: Objection, nonresponsive.

8 THE COURT: Sustained. It was a yes or no. Next  
9 question.

11:25:46

10 **Q.** (By Mr. Perez) Well, you said she wanted to distance  
11 herself from the location, yes or no?

12 **A.** Yes.

13 **Q.** And why?

14 **A.** Because she didn't want anyone knowing that she still  
15 managed -- that she was the owner, that she was still  
16 managing there at the location.

11:26:01

17 **Q.** Had something happened for her to try to take that  
18 position?

19 **A.** (Speaking Spanish.)

11:26:14

20 **Q.** Had something happened with law enforcement that she  
21 was trying to distance herself, yes or no?

22 **A.** (Speaking Spanish.)

23 **Q.** Yes or no?

24 **A.** Yes.

11:26:25

25 **Q.** What had happened?



1 **A.** The police arrived.

2 **Q.** And what happened when the police arrived?

3 **A.** The police came by. That's when they destroyed  
4 everything.

11:26:46

5 **Q.** Okay. I'm going to direct your attention to October  
6 the 18th, 2012. At that time you say, "What was I going  
7 to tell you? So then you want for me to take the money up  
8 and -- and put it away there?"

9 "Yes. Put it away and you --"

11:27:09

10 "And in the morning I --"

11 "-- bring it to me in the morning."

12 "-- I bring it to you."

13 Is this a conversation that took place by telephone?

14 **A.** Yes, it was.

11:27:27

15 **Q.** So this was October the 18th, 2012. What was that  
16 conversation dealing with, the one about, oh, you want me  
17 to take the money and put it away there. Yes. I'll put  
18 it away and you --

19 **A.** Sometimes I would take her the money, and sometimes  
20 she would come by. That's why I was asking her. That's  
21 why I was doing that.

11:27:51

22 **Q.** Then it says, "Okay." That's Tencha talking, "Erase  
23 my calls from there and -- and -- from my phone erase --  
24 all the calls that I make to you."

11:28:12

25 She wanted you to erase all the calls that were made

1 to you?

2 **A.** Yes.

3 **Q.** Now, if you know, why did she want you to erase the  
4 calls, if you know?

11:28:34

5 **A.** Because she said if something happened with the police  
6 and they took my phone away from me, her phone wouldn't  
7 show up on my phone. The phone number wouldn't show up on  
8 my phone.

11:28:51

9 **Q.** I'm going to direct your attention to Government  
10 Exhibit Number A-10a, and that's November 9th of 2012.  
11 This is Tencha. "Hmm. (Clears throat) All right."

12 On page one, "Hmm. (Clears throat) All right. Okay.  
13 Uh, and are those men going to be here? The pimps."

11:29:28

14 She says, "Well, they're going to be there until  
15 tomorrow because I'm realizing that -- Delia --" that's  
16 her daughter, right?

17 **A.** Yes.

18 **Q.** "-- told me that, no, that until the license arrives,  
19 he doesn't want -- I'll talk to him tomorrow."

11:29:43

20 Then she says further down, "Who left?"

21 You say, "That man."

22 You mean the pimp.

23 "The other two are not here, but they left one there.  
24 The one placing the stamp."

11:29:55

25 You then say, "And when he saw that I collected the

1 money, uh, he left. By the time I went out, he wasn't  
2 there anymore. What do you think?"

3 She then says, "Where did he go?"

11:30:09

4 You say, "He left. I don't know where he went, but he  
5 left. Marta says he told her that -- that he was going to  
6 pick up someone who was coming from Mexico. I don't  
7 know."

8 "And why didn't you tell the other one to stand there  
9 because the other one had left?"

11:30:26

10 What was that all about?

11 **A.** They were checking because they were going to get the  
12 place; and she was checking the operation, how everything  
13 was done. And at first there was the three there and then  
14 two and then everybody left.

11:30:54

15 **Q.** And it also says here, Tencha, "To -- to the other  
16 one."

17 "One of theirs left?"

18 "Yes. Yes. But the other two are not there anymore."

19 "Eh?"

11:31:09

20 "The other two are not there. They were three. Two  
21 -- two left and they left one [behind]."

22 "Which two left? The two --"

23 "The -- the -- the -- XXXXXXXX pimp and this girl --  
24 XXXXXXXXXXXX [pimp]. They left."

11:31:20

25 Who was XXXXXXXX pimp, if you know?

1 A. XXXXXXXX is El Pantera.

2 Q. How about XXXXX? Do you know who XXXXXXXX pimp was?

3 A. Jorge.

4 Q. Is that the fellow you identified on the board here  
5 earlier?

11:31:35

6 A. Yes.

7 Q. I'm going to direct your attention to November the  
8 10th, 2012. This was also a telephone conversation, page  
9 one on A-11a. You are talking. It says, "Juan Carlos  
10 says that -- says that you didn't put the paper there  
11 where they write down the condoms."

11:32:08

12 She then says, "I didn't put it there?"

13 "No, he says."

14 "Uh-huh. No, I didn't. I forgot."

11:32:18

15 Now, this Juan Carlos, is that Juan Carlos the other  
16 person who helped Edwin investigate this case; is that  
17 correct?

18 A. Yes.

19 Q. You then say, "-- and -- and bring change. And you  
20 didn't put the envelopes there either."

11:32:33

21 "Not either?"

22 "No. No."

23 You say, "I'm crazy. Okay."

24 "Uh, what was I going to tell you? Uh. And, hey, the  
25 pimps didn't come."

11:32:47

1 "No? I don't think that these guys are worth much."

2 What was that conversation about?

3 **A.** (Speaking Spanish.)

4 **Q.** Go ahead.

11:33:08

5 **A.** She wanted the pimps to always be there or otherwise  
6 it would mean they weren't interested. And she wanted  
7 them to be there at the business. And they didn't want to  
8 stay there, to be there. So it was one would stay, and  
9 the others would leave.

11:33:34

10 **Q.** On page two it says, "I already have the money -- the  
11 money."

12 And then she says, "Okay. I'm on my way."

13 You then say, "Hey, they need change. Or do you want  
14 me to go, or I don't know. Whatever you want."

11:33:49

15 She then says, "Yes. Yes. Yes. I know. I know. I  
16 know."

17 Then you said, "Do you want me to go or what?"

18 And then she says, "No. Well, in a while."

11:34:02

19 This is dated November 10th, 2012. As I understand  
20 it, the pimps took over November the 12th, 2012; is that  
21 right?

22 **A.** Yes.

23 **Q.** So what does this conversation on November the 12th  
24 have to do with the pimps since they didn't allegedly take  
25 over until November the 12th?

11:34:14

1 **A.** She was in there counting all the things with them.

2 **Q.** Okay. I'm going to direct your attention to November  
3 the 12th, 2012, page three. And again, this is a  
4 telephone conversation. She says -- A-12a, page three.

11:35:15

5 Page three. Okay.

6 It says, Tencha says, "Then you need to do the math  
7 again right now. And -- and that's right now. I'm with  
8 the pimps to -- to look into it. And I said, 'Well, where  
9 are they?' And see, since there are a bunch of winos -- I  
10 told -- to see if they can uh -- uhmm -- run those men off  
11 and say that they bought that place there or something."

11:35:34

12 What is that conversation about, sir?

13 **A.** Okay. She wanted those people who were outside --  
14 outside La Feria there was a little porch where alcoholics  
15 would gather. She wanted me to tell them to leave as she  
16 didn't have anything to do with that place anymore.

11:36:04

17 **Q.** And then it says, "-- you went with the pimps to the  
18 bar?"

19 You say that; and she says, "Yes. Well, I went to add  
20 up the account."

11:36:21

21 When she says, "Yes. Well, I went to add up the  
22 account," what did that mean, sir?

23 **A.** She was counting everything that was in there from the  
24 beer and the condoms.

11:37:04

25 **Q.** Now, allegedly the pimps took over November 2012. Did

1 you continue to work there?

2 **A.** Yes.

3 **Q.** And you worked there until October 2013 when Deputy  
4 Edwin arrested all these people, right?

11:37:23

5 **A.** Yes.

6 **Q.** During the time that you worked there who really was  
7 the boss in reference to the prostitution house?

8 **A.** Tencha. Okay.

9 MR. PEREZ: May I have a moment, Your Honor?

11:37:47

10 THE COURT: Yeah.

11 MR. MAGLIOLO: Would this be a time for a short  
12 break, Your Honor, do you suppose?

13 THE COURT: Sounds like a request for a break.

14 You know, I used to give a lecture around the country  
15 called "Saturday Morning in Court," meaning what lawyers  
16 need to know to practice in federal court on civil cases.  
17 Five hours. One of the things that you have down there  
18 is, you know, how to deal with a dumb judge.

11:38:01

19 One of the things is to ask, you know, is to "As the  
20 Court is no doubt aware." Okay. It has nothing to do  
21 with that request. As the Court is no doubt aware, the  
22 case of A versus B was decided by the court of appeals  
23 last week. We have got a copy for you and everybody else.

11:38:20

24 Of course, then we start looking at it. That's the  
25 easiest way to do it.

11:38:35

1 I was once in state court and someone was talking to  
2 the judge and it was, you know, Judge, if you had only  
3 read the brief that we wrote, you would understand that --  
4 that's a no. Okay. That is a no-no.

11:38:49

5 As the Court is no doubt aware, that's where you  
6 assume that he or she has read it. Then you fill them in  
7 on what is in the document, in any event.

11:39:05

8 However, I don't think anybody is aspiring lawyers out  
9 here. We appreciate your service, in any event. We will  
10 see you back ready to resume. It's now about 11:40.  
11 We'll be back -- we'll take a 15-minute break. We will be  
12 back at 5 minutes to 12:00. We'll see you back in 15  
13 minutes.

11:39:38

14 THE MARSHAL: All rise.

15 (Jury exited courtroom at 11:39 a.m.)

16 (Recess from 11:39 a.m. to 11:57 a.m.)

17 (Jury entered courtroom at 11:57 a.m.)

11:58:01

18 THE COURT: Be seated, please. All right. We're  
19 waiting on one of the attorneys. That's fine. Is it too  
20 cool in here? Is it cool?

21 JURORS: Yes.

22 THE COURT: Okay. Nothing can be done. That is  
23 a placebo up there. That doesn't work anymore.  
24 Everything is by computer downstairs.

11:58:42

25 THE INTERPRETER: We are having the same problem.



1 I don't know why.

2 THE COURT: Let's get it straight.

3 MR. PEREZ: Again, I had nothing to do with it,  
4 Your Honor.

11:58:50 5 THE COURT: I know. Neither did I. Pick a  
6 juror.

7 THE INTERPRETER: Thank you, sir.

8 THE COURT: All right. Let's go, please.

9 MR. PEREZ: Yes, Your Honor.

11:59:19 10 **Q.** (By Mr. Perez) You mentioned that Flaco was arrested  
11 in 2011, and he was kind of like the manager. When he was  
12 arrested he ascended to being a manager there at Las  
13 Palmas, right?

14 **A.** Yes.

11:59:32 15 **Q.** So these rules that were given to you by Tencha  
16 involving the minors and the rules with all the pimps and  
17 all these rules you testified about, these rules were  
18 given to you by Tencha after you became the manager; is  
19 that correct?

11:59:50 20 **A.** Yes.

21 **Q.** Now, you also mentioned Delia, Tencha's sister. Now,  
22 what did she do in reference to -- I'm sorry. Tencha's  
23 daughter. What did you -- what did Delia do in reference  
24 to the prostitution location there at Las Palmas and La  
12:00:18 25 Feria?

1 **A.** No. No. She had already gone from there for some  
2 time. She wasn't going there anymore. She was now in  
3 charge of the other businesses that they had and the  
4 money.

12:00:45

5 **Q.** When you say "the money," what money?

6 **A.** What they made there. All of them, all of the members  
7 of the family lived off of what was -- came out of there.

8 **Q.** Came out of there being Las Palmas and La Feria?

9 **A.** Las Palmas, yes.

12:01:11

10 **Q.** You say that the -- I think you used the word that the  
11 pimps in November 2012 rented the location Las Palmas?

12 **A.** Yes.

13 **Q.** And, in essence, they kind of ran the place; but  
14 Tencha still had her -- still kept her nose in the  
15 business, right?

12:01:32

16 MR. FAZEL: Objection, Leading.

17 THE COURT: Sustained.

18 **A.** Yes.

12:01:43

19 **Q.** (By Mr. Perez) After the pimps took over in November  
20 2012, what role did Tencha play there? Did she go there?  
21 What did she do in reference to Las Palmas?

22 **A.** Well, she would check everything, that everything was  
23 all right all the time; and she also said that the pimps  
24 had to be there always.

12:02:11

25 **Q.** And did she go to Las Palmas after the pimps allegedly

1 took over?

2 **A.** Yes.

3 **Q.** When she went there, what would she do?

4 **A.** She would check the machines. She would check the  
5 money in the machines. And the money would go half for  
6 her and half for the pimps, yes.

7 **Q.** Sir, at some point, as you testified, you decided to  
8 cooperate and, in fact, you started working with Deputy  
9 Edwin?

10 **A.** Yes.

11 **Q.** At the time that you recorded the conversations with  
12 Tencha, what was your relationship with Tencha? Good or  
13 bad?

14 **A.** No. It wasn't good. No.

15 **Q.** I think you said something else. I don't think you  
16 captured it.

17 **A.** No. No.

18 MR. PEREZ: Okay. May I have a moment, Your  
19 Honor?

20 THE COURT: Yeah.

21 MR. PEREZ: I'll pass the witness, Your Honor.

22 THE COURT: Go right ahead.

23 MR. FAZEL: May I proceed, Your Honor?

24 THE COURT: Yeah.

25 **CROSS-EXAMINATION**

1 BY MR. FAZEL:

2 Q. Sir, good morning. You and I have never met before,  
3 correct?

4 A. No.

12:03:58

5 Q. You and I have never met prior to this and had a  
6 conversation about your testimony, correct?

7 A. No.

8 Q. Now, just for introductory purposes, there is a nice  
9 lady standing right next to you; and she is your attorney,  
10 correct?

12:04:15

11 A. Yes.

12 Q. You testified -- well, let me ask you this: It was  
13 your testimony to the jury that you entered the country in  
14 2007, correct?

12:04:30

15 A. Yes.

16 Q. Is there a reason why you told immigration authorities  
17 that you entered the country in 2001?

18 A. In 2001?

19 Q. Yes.

12:04:45

20 A. Si'.

21 Q. My question was: Is there a reason why you told  
22 immigration authorities that you entered the country in  
23 2001?

24 A. No.

12:05:00

25 Q. I'm sorry. No, what?

1 **A.** I didn't come over in 2001. I didn't come over here.

2 **Q.** So if your immigration file indicates that you made a  
3 statement to them saying that you entered the country in  
4 2001 --

12:05:19

5 MR. MAGLIOLO: Your Honor, may we approach the  
6 bench on that?

7 THE COURT: Yeah. Come on up.

8 (Proceedings held at sidebar.)

9 THE COURT: Okay.

12:05:40

10 MR. MAGLIOLO: He is again trying to  
11 cross-examine the defendant over statements that the  
12 defendant did not make when he says that this -- your file  
13 says this. That's a statement the defendant didn't make,  
14 didn't ratify and he -- the rules indicate he is not  
15 supposed to cross him unless it's a statement. To be a  
16 statement it has to be something he has made or read.

12:06:00

17 THE COURT: Is that document in evidence?

18 MR. FAZEL: No, sir, it's not. May I read it to  
19 the Court?

12:06:12

20 THE COURT: Go on.

21 MR. FAZEL: "The subject claimed that he entered  
22 the United States on or about 2001 at or near Hidalgo,  
23 Texas without being inspected by an immigration officer."  
24 That's his statement to immigration.

12:06:23

25 MR. MAGLIOLO: That's what that says, but there

1 is some misunderstanding. That's why he can't be  
2 cross-examined.

3 THE COURT: Overruled. I'll allow it in.

4 MR. MAGLIOLO: Thank you.

12:06:45

5 (Proceedings concluded at sidebar.)

6 THE COURT: In that same form that you have.

7 MR. FAZEL: Yes, sir.

12:06:55

8 **Q.** (By Mr. Fazel) Isn't it true, sir, that you told  
9 immigration authorities that you entered the United States  
10 on or about 2001 at or near Hidalgo, Texas without being  
11 inspected by an immigration officer? Isn't that your  
12 statement?

13 **A.** No.

12:07:07

14 THE COURT: Do you ever recall making that  
15 statement?

16 THE WITNESS: No.

17 THE COURT: Okay.

18 THE WITNESS: No.

19 THE COURT: Move on.

12:07:11

20 MR. FAZEL: Yes, sir.

21 **Q.** (By Mr. Fazel) Now, let me talk to you about -- so,  
22 when you say you came here in 2007, it could be that you  
23 came in a little earlier, you just might not have  
24 remembered that?

12:07:25

25 **A.** No.

1 Q. How many times have you entered the country?

2 A. (No response.)

3 Q. Let me rephrase that. How many times have you entered  
4 the country illegally?

12:07:42

5 A. Two.

6 Q. Give me the dates.

7 A. I don't remember.

12:07:58

8 Q. Do you remember telling -- when you testified for the  
9 prosecution you remembered that you entered in 2007. Now  
10 you don't remember?

11 A. That's when I came in.

12 Q. That's what I'm asking. You said you entered the  
13 country twice. I'm asking give me the dates that you  
14 entered the country.

12:08:12

15 MR. MAGLIOLO: We object to the form of the  
16 question. Can he make it clear he wants the year and not  
17 a specific date? I think that's the confusing thing.

18 THE COURT: All right. A year.

12:08:23

19 Q. (By Mr. Fazel) We'll start with the year. What year  
20 did you enter the country?

21 THE COURT: One is 2007, correct?

22 THE WITNESS: Yes.

23 THE COURT: Do you remember any other year you  
24 came in illegally?

12:08:31

25 THE WITNESS: Yes. In 2009.

1 Q. (By Mr. Fazel) Would you know -- do you know why the  
2 immigration authorities only show you coming in one time  
3 in 2001?

4 A. I don't know.

12:08:52

5 Q. Do you remember being interviewed by immigration  
6 authorities?

7 A. In that year, no.

8 Q. Do you remember ever being interviewed by immigration  
9 authorities?

12:09:12

10 A. The first time, the first time I intended to come in;  
11 and they deported me.

12 Q. And they interviewed you then?

13 A. With immigration they have interviewed me two times  
14 only.

12:09:31

15 Q. One in 2007 and one in 2009?

16 A. Yes.

17 Q. But I think you said you entered the country in 2007?

18 A. Yes.

19 Q. So they interviewed you when you entered the country?

12:09:49

20 A. The first time?

21 Q. You just testified that they interviewed you twice:  
22 One in 2007 and one in 2009, right?

23 A. Yes. Yes.

24 Q. So they interviewed you when you entered illegally,

12:10:03

25 and they let you in?



1 **A.** They deported me.

2 **Q.** In 2007?

3 **A.** Yes.

4 **Q.** And how did you start working at Las Palmas in 2007?

12:10:15 5 **A.** I returned again.

6 **Q.** Again in 2007?

7 **A.** Yes. I returned days later. I came back right away.

8 **Q.** Is there a reason why -- well, okay. So, you entered

9 in 2007 and were caught, deported and entered again in

12:10:55 10 2007?

11 **A.** Yes.

12 **Q.** And then you were caught again in 2009?

13 **A.** Yes.

14 **Q.** And deported?

12:11:00 15 **A.** Yes.

16 **Q.** And came back again?

17 **A.** Yes.

18 **Q.** Do you know why that the 2007 deportation is not in

19 your immigration file?

12:11:13 20 **A.** I don't know.

21 **Q.** You talked about wanting to talk to Edwin,

22 Mr. Chapuseaux, the detective, because you thought certain

23 things were unfair, correct?

24 **A.** Yes.

12:11:36 25 **Q.** You thought the ladies were dressed scantily, correct?

1 **A.** (Speaking Spanish.)

2 **Q.** Sure. One of the reasons you thought matters were  
3 unfair was because you thought ladies were dressed  
4 scantily?

12:11:56

5 **A.** Yes.

6 **Q.** When you started working at Las Palmas, you knew that  
7 there was prostitution going on there, correct?

8 **A.** Yes.

12:12:07

9 **Q.** And you knew that prostitution is against Texas law,  
10 correct?

11 **A.** Yes.

12 **Q.** And you started working there. It didn't bother you  
13 in 2007 that the girls were dressed scantily, did it?

14 **A.** Yes.

12:12:22

15 **Q.** In 2008 it didn't bother you that they were dressed  
16 scantily, correct?

17 **A.** I was never in agreement with that.

18 **Q.** I'm sorry. My question was: In 2008 it didn't bother  
19 you that they were dressed scantily, did it?

12:12:39

20 **MR. PEREZ:** Objection. He has been asked that  
21 question. He has answered it already, Your Honor.

22 **THE COURT:** Sustained.

23 **Q.** (By Mr. Fazel) So it didn't bother you until 2011  
24 when you decided to talk to Edwin Chapuseaux, correct?

12:12:51

25 **A.** That thing about the clothes or the manner in which

1 they were treated I was never in agreement with.

2 **Q.** Are you currently living in Houston, Texas?

3 **A.** Yes.

4 **Q.** Are you -- do you have a visa to stay here?

12:13:15

5 **A.** A temporary permit.

6 **Q.** And that's based on your cooperation with the  
7 government?

8 **A.** Yes.

9 **Q.** Okay. And did the government pay for some expenses  
10 for you to be able to stay here?

12:13:28

11 **A.** My expenses, no. I work.

12 **Q.** Oh, I'm sorry. You also work here?

13 **A.** Yes.

14 **Q.** Is that under a work permission?

12:13:43

15 **A.** Yes.

16 **Q.** And is that something the government obtained for you,  
17 as well?

18 **A.** Yes.

19 **Q.** Okay. So they allowed you to stay in the country, the  
20 government, correct?

12:13:54

21 **A.** Yes.

22 **Q.** They allowed you to work, correct?

23 **A.** Yes.

24 **Q.** Now, do you understand that by -- let me ask you this:

12:14:22

25 Do you understand what the accusations are against the

1 defendant here today?

2 **A.** Yes.

3 **Q.** Do you understand that you were assisting the  
4 defendant from 2007, according to you, to 2013, correct?

12:14:40

5 **A.** Yes.

6 **Q.** Okay. So let's be clear.

7 **A.** Excuse me. Excuse me. Helping her with what?

8 **Q.** Well, you said you are the manager of the business,  
9 correct?

12:14:59

10 **A.** Work. Work, that's one thing. To help, that would  
11 have meant that I would have been in agreement with  
12 everything that she did.

13 **Q.** So let me understand this. Did you assist with the  
14 rooms upstairs?

12:15:28

15 **A.** I would help in what manner?

16 **Q.** Did you help assist with the condoms?

17 **A.** To help, no. There were persons in each area. I was  
18 in charge of making sure that things worked there.

19 **Q.** Right. So everybody was -- you were the manager  
20 running the place?

12:15:53

21 **A.** Yes.

22 **Q.** So you are in charge of -- you had somebody working in  
23 the prostitution area, right?

24 **A.** Assigned? Assigned?

12:16:07

25 **Q.** You had somebody assigned to the prostitution areas,

1 right?

2 **A.** I, no. She did. She would be the one to say this one  
3 is going to be here. This one there, and that one over  
4 there. In every area she would say this one here, that  
5 one there and that one there.

12:16:33

6 **Q.** And you were managing the entire bar, correct?

7 **A.** Yes.

8 **Q.** And everybody would report to you at the end of the  
9 night, correct?

12:16:45

10 **A.** Yes.

11 **Q.** Therefore, you had the totals of the prostitution  
12 area?

13 **A.** Yes.

14 **Q.** You had the totals of the bar area?

12:16:56

15 **A.** Yes.

16 **Q.** You knew exactly what girls went where and did what?

17 **A.** Exactly, no. I was only in charge of taking up all of  
18 the money.

19 **Q.** So -- and the money that you obtained you knew where  
20 it was coming from, right?

12:17:18

21 **A.** Yes.

22 **Q.** It was coming from prostitution?

23 **A.** Yes.

24 **Q.** So didn't you do the same thing that the defendant  
25 did?

12:17:37

1 **A.** Did what? I didn't make use of the money. She paid  
2 me.

3 **Q.** I see. So in your mind --

12:17:57

4 MR. PEREZ: Wait. Wait. He is trying to answer  
5 the question, Your Honor. He is being cut off.

6 MR. FAZEL: I thought he did.

7 THE COURT: Continue if you need more.

8 **Q.** (By Mr. Fazel) So in your --

9 MR. PEREZ: Wait.

12:18:07

10 MR. FAZEL: I thought he was done.

11 **A.** If I had done the same thing as she had, then she  
12 would have paid me half of whatever she took in. She paid  
13 me for doing something.

12:18:32

14 **Q.** (By Mr. Fazel) Right. So in your mind the difference  
15 is you were just paid -- you made less money?

16 THE INTERPRETER: (Speaking Spanish.)

17 MR. FAZEL: She is doing the translating.

18 THE INTERPRETER: I'm sorry.

19 MR. FAZEL: I just wanted to remind you.

12:18:45

20 **Q.** (By Mr. Fazel) Do you want me to repeat the question?

21 **A.** Yes.

22 **Q.** In your mind, the only difference is you made less  
23 money?

12:19:09

24 **A.** Not that I would get. I was paid \$6 an hour for the  
25 number of hours that I worked there.

1 Q. Yes, sir. I understand. But you knew exactly what  
2 was going on there, correct?

3 A. Yes.

4 Q. You knew which girls were doing what, correct?

12:19:24

5 A. Yes.

6 Q. At the end of the night, you collected all the money,  
7 correct?

8 A. Yes.

12:19:33

9 Q. And you would then distribute the money to the  
10 accused, who you call Tencha, correct?

11 A. That I would -- that I would disburse it out?

12 Q. You would take --

13 A. I would disburse it? No. I would give everything to  
14 her.

12:19:56

15 Q. Right. You would take all the money and give it to  
16 the accused. I understand that. Correct?

17 A. To disburse it is to, like, "here is this" and "here  
18 is that." No. No. No. No.

12:20:12

19 Q. So, in your mind, the only difference between you and  
20 the accused is that you didn't keep the money? That's it?  
21 That's the only difference, right?

22 A. The only difference there is, well, that I worked  
23 there.

12:20:34

24 Q. You didn't transport any females from Mexico to the  
25 United States, did you?

1 **A.** No.

2 **Q.** You didn't have women working for you, did you?

3 **A.** No.

4 **Q.** You didn't take women to their apartments and keep  
5 them there just to --

12:20:44

6 **MR. MAGLIOLO:** Your Honor, we're close to  
7 violating that motion in limine.

8 **THE COURT:** Sustained.

9 **Q.** (By Mr. Fazel) You didn't have any women working  
10 underneath you, did you?

12:20:57

11 **A.** No. Under like how?

12 **Q.** You didn't have any folks prostituting for you, did  
13 you?

14 **A.** No. No. No.

12:21:13

15 **Q.** Just like the accused?

16 **MR. PEREZ:** Objection, Your Honor. Calls for a  
17 factual conclusion, Your Honor, a legal conclusion on the  
18 part of this witness.

19 **THE COURT:** Sustained.

12:21:21

20 **MR. PEREZ:** May we have the jury disregard that  
21 last question completely, Your Honor?

22 **THE COURT:** Disregard the question.

23 **Q.** (By Mr. Fazel) Tell us what benefits the government  
24 has bestowed upon you for testifying today.

12:21:41

25 **A.** Benefits? It's that I wasn't going to have any



1 charges because I am doing this voluntarily. What the  
2 question you are asking is that they gave me something and  
3 that's why you are doing this. No. No.

12:22:15

4 **Q.** So one of the benefits that you believe you have  
5 obtained is the government is not going to charge you with  
6 any crimes, correct?

7 **A.** I didn't commit any crime. What crime did I commit?

8 MR. FAZEL: Approach on the motion?

9 THE COURT: Absolutely. Come on up.

12:22:44

10 (Proceedings held at sidebar.)

11 THE COURT: Okay.

12 MR. FAZEL: He opened the door.

13 THE COURT: What's your response?

14 MR. MAGLIOLO: You cannot trick someone on

12:22:51

15 opening the door and then claim now you can violate and  
16 then you can put it into evidence, Your Honor. He asked a  
17 very broad question.

18 THE COURT: He can take the Fifth Amendment.

12:23:02

19 MR. FAZEL: I understand that, Your Honor. First  
20 of all, this is not a trick. It's cross-examination.

21 THE COURT: I understand that. I understand  
22 that.

23 MR. FAZEL: I have a right to ask him about what  
24 crimes I think he committed.

12:23:09

25 MR. MAGLIOLO: He doesn't, Your Honor.

1 THE COURT: He said, "Did you commit any crimes?"  
2 Something like that, right?

3 MR. FAZEL: I asked him what crimes --

12:23:17

4 THE COURT: What was the exact wording? I  
5 remember it.

6 MR. FAZEL: I asked him what benefits they gave  
7 him. He said they didn't charge me with any crimes. I  
8 asked what crimes did you commit. And the next question  
9 was what did you observe.

12:23:28

10 THE COURT: What did he answer?

11 MR. FAZEL: He said they didn't charge me with  
12 any crimes.

13 MR. MAGLIOLO: So he violated the motion in  
14 limine by asking that question.

12:23:35

15 THE COURT: I disagree. I disagree. Overruled.  
16 I'll allow him to answer. I'll allow him to ask the  
17 question.

18 MR. PEREZ: Judge, may I have a question?

19 THE COURT: No.

12:23:50

20 MR. PEREZ: I understand.

21 THE COURT: I found he opened the door. That  
22 doesn't mean he can't raise the Fifth Amendment, right?  
23 Okay.

24 MR. RODRIGUEZ: Okay.

12:24:00

25 MR. PEREZ: What question is he going to ask?

1 Which crimes?

2 MR. FAZEL: I'm just going to hit the crimes.

3 MR. PEREZ: Which ones?

4 MR. FAZEL: Well, let's see. According to you

12:24:09

5 guys, he is a coconspirator in this case for sure.

6 MR. MAGLIOLO: No question about it.

7 MR. FAZEL: Harboring, money laundering.

8 MR. MAGLIOLO: Absolutely.

9 MR. FAZEL: And then, he also engaged in sexual

12:24:20

10 intercourse with a female --

11 MR. MAGLIOLO: We object to that.

12 THE COURT: May I see the pattern jury charge?

13 MR. MAGLIOLO: Again, Your Honor, the allegation  
14 about the act with the 16-year-old is not admissible.

12:24:32

15 It's not admissible.

16 THE COURT: I'm telling you I'm letting it in.

17 He answers it.

18 MR. MAGLIOLO: Then it is admissible, Your Honor?

19 MR. PEREZ: I understand the Court's ruling.

12:24:41

20 THE COURT: I'm putting it on the record. I  
21 found he opened the door. If he wants to take the Fifth  
22 Amendment, that's his perfect right. Please take your  
23 seat.

24 MR. MAGLIOLO: Can I say one more thing?

12:24:51

25 THE COURT: No. That's it.

1 MR. MAGLIOLO: Thank you, Your Honor.

2 (Proceedings concluded at sidebar.)

3 THE COURT: Give us one second. I have sent for  
4 a little academics. I need to do a little drafting here.

12:28:33

5 A little academics. All right. I have got something. If  
6 I need it, it's probably going to be forthcoming. So  
7 we'll see. All right.

8 Yes, sir. You may continue.

12:31:55

9 Q. (By Mr. Fazel) You just testified earlier that the  
10 government promised you they wouldn't charge you with  
11 crimes. Do you remember that?

12 A. Yes.

13 Q. They promised you they wouldn't charge you with sex  
14 trafficking, correct?

12:32:07

15 A. Yes.

16 Q. They promised you they wouldn't charge you with money  
17 laundering, correct?

18 THE COURT: Correct? Yes or no?

19 THE WITNESS: No.

12:32:18

20 Q. (By Mr. Fazel) They promised you they wouldn't charge  
21 you with harboring undocumented aliens, correct?

22 A. No.

23 Q. Did you know it's a crime to lie to federal law  
24 enforcement officers? Do you know that?

12:32:39

25 A. Lie in what manner?

1 Q. In any investigation, it's a crime to lie to them.

2 Did you know that?

3 A. But I haven't lied about anything. Neither have I  
4 lied to you.

12:32:59

5 Q. Did they promise you they wouldn't charge you for  
6 sexual assault?

7 MR. RODRIGUEZ: Objection. (Speaking Spanish.)

8 A. I call on my Fifth Amendment right.

12:33:24

9 Q. (By Mr. Fazel) Did they -- did they promise you that  
10 they wouldn't charge you with having relations with one of  
11 the witnesses in this case?

12 A. I call on my Fifth Amendment right.

12:33:47

13 Q. Did they promise you that they wouldn't charge you for  
14 not telling them the truth about his age at an earlier  
15 report -- her age, excuse me, at an earlier report?

16 MR. PEREZ: Your Honor, I object. It's been  
17 asked and answered.

18 THE COURT: Sustained.

12:33:56

19 MR. PEREZ: I ask the Court to stop this line of  
20 questioning, Your Honor.

21 THE COURT: Let me hear the next question. We  
22 will go question and answer, if he has any more. Once you  
23 are through, I'll make an instruction to the jury.

24 MR. FAZEL: Yes, sir.

12:34:04

25 THE COURT: Any more on this line?

1 MR. FAZEL: I do.

2 Q. (By Mr. Fazel) Did they mention to you that sexual  
3 assault in Texas carries a sentence of two to 20 years?

12:34:15

4 MR. PEREZ: Objection, Your Honor. It's been  
5 asked and answered. As far as that line of questioning,  
6 Your Honor, it's irrelevant to this proceeding, Your  
7 Honor.

12:34:24

8 THE COURT: I'm not saying it's irrelevant in  
9 this proceeding. I'll take care of that in a moment. But  
10 sustained. Your point is made, I think.

11 MR. FAZEL: Yes, sir.

12:34:37

12 THE COURT: All right. Ladies and gentlemen, I  
13 just want to give you this instruction, just a reminder,  
14 that the defendant and the defendant alone is the only  
15 person on trial in this case. No other person is on trial  
16 in this case. Consider the defendant's guilt, if any,  
17 based upon all of the evidence in this case and this case  
18 alone. We can talk about other things later after the  
19 case is over.

12:34:56

20 All right. Go right ahead, sir.

21 MR. FAZEL: May I continue?

22 THE COURT: You may continue.

23 MR. FAZEL: Thank you, Your Honor.

12:35:05

24 Q. (By Mr. Fazel) So is it still your position that you  
25 were offended by the way the women were dressed? Is that

1 still your position?

2 **A.** Yes.

3 MR. PEREZ: Your Honor, I object. It's  
4 repetitious. It's been asked and answered, Your Honor.

12:35:14

5 THE COURT: Sustained.

6 **Q.** (By Mr. Fazel) All right. Now, when the other  
7 individuals took the business over -- are you with me as  
8 to where I am?

9 **A.** Yes.

12:35:35

10 **Q.** You called those individuals pimps. I'm just going to  
11 call them individuals. Okay? Are you with me?

12 **A.** Yes.

13 **Q.** The way this worked is that you reported on a regular  
14 basis to the detective here, Edwin, correct, Chapuseaux?

12:35:53

15 **A.** Yes.

16 **Q.** And did you see him taking notes of every time you  
17 talked to him?

18 **A.** (Speaking Spanish.)

19 **Q.** With you.

12:36:03

20 **A.** With who?

21 **Q.** I'm sorry.

22 **A.** Yes.

23 **Q.** Okay. And I want to make sure that I'm clear on this.

24 It's your position that when these individuals took over,

12:36:17

25 you are telling this jury that the accused,

1 Ms. Medeles-Garcia, was still in charge? Is that what you  
2 are telling us?

3 **A.** Yes.

4 **Q.** Do you remember telling the detective something a  
5 little different?

12:36:31

6 **A.** Would you repeat, please?

7 **Q.** Sure. Through the many times that you met with the  
8 detective and he wrote notes, do you remember telling him  
9 things differently than what you are telling the jury?

12:36:52

10 **A.** No.

11 **Q.** Do you remember telling him that there is a document  
12 drafted up by Delia in which the rent was \$3,000? Do you  
13 remember telling the detective that?

14 **A.** (Speaking Spanish.)

12:37:10

15 **Q.** Yes.

16 **A.** About \$3,000? No.

17 **Q.** So if the detective --

18 MR. PEREZ: Wait a minute, Your Honor. He is  
19 trying to answer the question, Your Honor. He is trying  
20 to answer the question.

12:37:17

21 THE COURT: All right. Answer the question,  
22 please.

23 **A.** They drew up a contract so as to rent to the pimps the  
24 place, Las Palmas.

12:37:36

25 **Q.** (By Mr. Fazel) Do you remember telling the detective



1 that you learned from the accused's daughter, Delia, that  
2 Delia had drawn up a contract between the accused and one  
3 of the individuals for \$3,000 rent?

12:37:54

4 MR. PEREZ: Your Honor, objection. Calls for  
5 hearsay, Your Honor, as to what Delia may have said or not  
6 said.

7 THE COURT: Yeah. Rephrase it.

12:38:04

8 Q. (By Mr. Fazel) Do you remember obtaining information  
9 while you were the manager at the location that there was  
10 a contract for \$3,000 for rent? Do you remember that?

11 A. For \$3,000, no. They had a contract for \$10,000 a  
12 week.

12:38:31

13 Q. Do you remember having a conversation with  
14 Ms. Medeles-Garcia where she was saying, you know, I'm  
15 done with this. I'm just going to turn this into a place  
16 where we are going to sell things, and she went to  
17 California looking to do that?

18 A. Yes.

12:38:45

19 Q. Do you remember the individuals that took over setting  
20 up their own rules?

21 A. Excuse me. Excuse me. Can you repeat?

22 Q. Do you remember the individuals who took over actually  
23 setting up their own rules?

12:39:12

24 A. No. Because it would continue to do the same thing as  
25 she would tell them to.

1 Q. Do you remember, number one, that the individuals that  
2 took over were now ordering the drinks, the beer to be  
3 sold? Do you remember that?

4 A. Yes.

12:39:27

5 Q. And everything else that the bar required, correct?

6 A. Yes.

7 Q. Ms. Medeles-Garcia wasn't doing that, was she?

8 A. No.

12:39:43

9 Q. How about the fact that -- do you remember telling the  
10 detective that one of the girls was suspended by the  
11 individuals and she asked Tencha to interject and the  
12 individuals said, no, we're going to suspend her anyway?  
13 Do you remember that?

14 A. Yes.

12:40:04

15 Q. And you still want to tell them that  
16 Ms. Medeles-Garcia was in charge?

17 A. Excuse me?

18 Q. You still want to tell this -- you still want to tell  
19 this jury that Ms. Medeles-Garcia was in charge?

12:40:19

20 A. Yes.

21 Q. Do you remember that the individuals suspended Karen  
22 for two weeks because she lied to them? Do you remember  
23 that?

24 A. She lied to them?

12:40:36

25 Q. Do you remember telling this detective that the

1 individuals that took over suspended a girl named Karen  
2 for two weeks because she lied to the individuals that  
3 took over? Do you remember saying that?

4 **A.** No. Karen? Karen? Who is Karen? Who is Karen?

12:40:55

5 **Q.** I don't know. I don't know. This is what you are  
6 telling the detective, sir.

7 MR. PEREZ: Objection, Your Honor. He is  
8 assuming that's what he was told. That's not a statement  
9 he made, Your Honor.

12:41:04

10 THE COURT: Sustained.

11 MR. PEREZ: Again, ask the jury to disregard that  
12 last question and answer.

13 THE COURT: The jury is instructed to disregard  
14 that.

12:41:11

15 **Q.** (By Mr. Fazel) Do you remember that a girl named  
16 Karen said that she went to Mexico; and in actuality, she  
17 went to another bar to work? You don't remember telling  
18 that story?

19 **A.** I don't know who Karen is.

12:41:36

20 **Q.** Do you remember telling this detective that XXXXX --  
21 do you know who XXXXX is?

22 **A.** Yes.

23 **Q.** Do you remember telling this detective that XXXXX has  
24 told everybody at the club that she is better off without  
25 her pimp? Do you remember that?

12:41:50

1 **A.** Yes.

2 **Q.** And XXXXX called the police on her pimp. Do you  
3 remember that?

4 **A.** No.

12:42:05

5 **Q.** Do you remember telling this detective that a customer  
6 was complaining about a minor being forced to work there  
7 at Las Palmas 2?

8 **A.** Yes.

12:42:44

9 **Q.** And that somebody thought that XXXXXX probably started  
10 the rumor. Do you know who XXXXXX is?

11 **A.** Yes.

12 **Q.** And she started the rumor because she found out her  
13 man had other women. Do you remember that?

14 **A.** No.

12:42:59

15 **Q.** Do you remember even giving the detective XXXXXXXX  
16 cell phone number? Do you remember that?

17 **A.** I don't remember.

18 **Q.** All right. Isn't it fair to say, sir, that the  
19 individuals that took the bar over had control of the  
20 girls who came and who went?

12:43:23

21 **A.** No. (Speaking Spanish.)

22 MR. FAZEL: It's a yes or no question, Your  
23 Honor.

24 MR. PEREZ: Your Honor, he is trying to explain  
25 his answer, Your Honor.

12:43:36

1 MR. FAZEL: I object to nonresponsive.

2 THE COURT: All right. Next question. Go  
3 question and answer.

4 MR. FAZEL: Okay.

12:43:43

5 Q. (By Mr. Fazel) Isn't it true, sir, that the men who  
6 took the bar over had control of the comings and goings of  
7 what women were working there, yes or no?

8 A. No.

12:43:58

9 Q. Isn't it true that you reported to this detective that  
10 they decided who was suspended, that is, who and what  
11 girls were suspended and what girls weren't suspended?

12 A. (Speaking Spanish.)

13 MR. FAZEL: Objection, nonresponsive. It's a yes  
14 or no question.

12:44:10

15 THE COURT: No, sir. It's a yes or no answer.  
16 By the way, if you cannot answer a question yes or no,  
17 tell the lawyer that you can't answer it yes or no. You  
18 want him to ask it again?

19 THE WITNESS: Yes.

12:44:24

20 THE COURT: All right.

21 MR. FAZEL: I think I forgot the question.

22 THE COURT: Do you want it read back?

23 MR. PEREZ: I do want the question read back,  
24 Your Honor.

12:44:32

25 THE COURT: Okay. I asked him. That's all

1 right.

2 (Question read by the court reporter.)

3 **A.** Yes.

4 **Q.** (By Mr. Fazel) Isn't it true, sir, that they decided  
5 what volume of alcohol to buy for the club, yes or no?

12:44:58

6 **A.** Yes.

7 **Q.** Sir, when you started working at Las Palmas in 2007,  
8 according to you, were there any girls locked up in the  
9 upstairs?

12:45:35

10 **A.** No.

11 **Q.** Isn't it true that many of the girls came to Las  
12 Palmas on their own so they could earn money?

13 **A.** No.

14 **Q.** It's not true that they came on their own?

12:46:14

15 **A.** What you are asking me, no. No. That they should --  
16 would come in. They would come in because the pimps could  
17 no longer come there.

18 **Q.** All right. There were two sets of girls, correct, two  
19 types of girls: Ones who had pimps and ones who didn't,  
20 correct?

12:46:31

21 **A.** Yes.

22 **Q.** The ones who didn't have pimps came because they  
23 wanted to come, correct?

24 **A.** Yes.

12:46:38

25 **Q.** Because they wanted to earn money that way?

1 A. Yes.

2 Q. The ones that had pimps were there because their pimps  
3 made them go, correct?

4 A. Yes.

12:46:50

5 Q. But you didn't make them go?

6 A. No.

7 Q. You weren't a pimp?

8 A. No.

9 Q. Neither was Ms. Medeles-Garcia, correct?

12:47:00

10 MR. PEREZ: Objection. Calls for a legal  
11 conclusion, Your Honor.

12 THE COURT: Sustained.

13 MR. FAZEL: I pass the witness.

14 THE COURT: He passed the witness.

12:47:05

15 MR. PEREZ: Yes, Your Honor.

16 **REDIRECT EXAMINATION**

17 BY MR. PEREZ:

18 Q. You have been trying to answer this question about who  
19 decided which girls were going to be suspended and you  
20 keep getting interrupted. Could you please explain to the  
21 members of the jury who it was that determined the  
22 suspension of these girls?

12:47:12

23 A. Tencha.

24 Q. And then you said that at some point some girl wanted

12:47:25

25 -- had been suspended but Tencha intervened or something

1 like that. I think that's what you said.

2 **A.** Excuse me. Can you repeat the question?

3 **Q.** Was there a situation where a girl was suspended by  
4 the pimps and, in fact, Tencha intervened to get her back  
5 into the Las Palmas while the pimps were there?

12:47:41

6 **A.** Yes.

7 **Q.** And explain that to the members of the jury, please,  
8 sir.

9 **A.** Yes. That prostitute, if she were told that the  
10 clothes had to be longer, she didn't want to. She wanted  
11 it to be shorter. She always -- but because she didn't  
12 want -- the other girls came dressed as they had been told  
13 to lower their clothes, but she didn't want to.

12:48:12

14 So she called Tencha to tell her about it, and Tencha  
15 told them to leave her alone. And so Tencha went and  
16 spoke to the pimps; but they said if Tencha had rented the  
17 place to them, then it was up to them to decide either  
18 right or wrong what was best for the place.

12:48:52

19 And so, they said they were going to suspend or punish  
20 her for two weeks; but Tencha said, no, she is going to  
21 continue working. And she stayed on.

12:49:40

22 MR. PEREZ: I'll pass the witness, Your Honor.

23 **RECROSS-EXAMINATION**

24 BY MR. FAZEL:

25 **Q.** Was this lady that you are referring to was her name

12:49:56



1 XXXXX?

2 A. Yes.

3 Q. Did you not report to this detective on 11-13-2012  
4 that the individuals held a meeting and they indicated to  
12:50:13 5 the girls that they are not allowed to wear heels, skirts  
6 or skimpy clothing? Do you remember saying that?

7 A. Yes.

8 Q. And an independent prostitute identified as XXXXX was  
9 unhappy with that?

12:50:31 10 A. Yes.

11 Q. And that she contacted Ms. Medeles-Garcia. Do you  
12 remember saying that?

13 A. Yes.

14 Q. And Ms. Medeles-Garcia reached out to the guys and  
12:50:42 15 said, hey, she is upset. Do you remember that?

16 A. Yes.

17 Q. And they got upset at XXXXX, correct?

18 A. Yes.

19 Q. And then they said that she can't come work there  
12:50:54 20 anymore, correct?

21 A. Yes.

22 MR. FAZEL: I pass the witness.

23 **REDIRECT EXAMINATION**

24 BY MR. PEREZ:

12:50:58 25 Q. And then Tencha made them take her back, right?

1 **A.** Yes.

2 MR. PEREZ: I have no further questions, Your  
3 Honor.

12:51:06

4 THE COURT: Thank you. You may step down. You  
5 are excused. You are free to leave.

6 THE WITNESS: (Complying.)

7 THE COURT: I have got another matter. I have a  
8 sentencing in another case, an older case. It's coming up  
9 at 2:00. So if you have another witness available.

12:51:17

10 MR. PEREZ: We do, Your Honor.

11 MR. MAGLIOLO: We have a short witness.

12 THE COURT: Well, whatever it is. We're going to  
13 go on to about 1:05. Otherwise, I need to start the other  
14 proceeding. It will take me about 15 minutes. I've got  
15 to go from 2:00 to 2:15. Let's get on another 15 minutes  
16 on this end if we can.

12:51:31

17 MR. PEREZ: We're going to put on another witness  
18 out of order just to accommodate the Court, Your Honor.

19 THE COURT: That is fine. Call your next  
20 witness.

12:51:45

21 MR. MAGLIOLO: Michael Von Blon.

22 THE COURT: What is his name?

23 MR. MAGLIOLO: Michael Von Blon.

24 MR. PEREZ: Von Blon, V-o-n, B-l-o-n, Your Honor.

12:51:52

25 THE COURT: Raise your right hand to be sworn.

1 (Sworn by the Court.)

2 THE COURT: If you need to go a little bit longer  
3 to get the witness on and off, that's fine.

12:52:10

4 MR. MAGLIOLO: Thank you, Your Honor. May I  
5 proceed, Your Honor?

6 THE COURT: Yes.

7 **MICHAEL VON BLON,**

8 having been first duly sworn, testified as follows:

9 **DIRECT EXAMINATION**

12:52:10

10 BY MR. MAGLIOLO:

11 Q. Please state your name for the ladies and gentlemen of  
12 the jury.

13 A. Mike Von Blon.

12:52:19

14 Q. And if you'll pull that microphone a little bit to  
15 you, please, sir. What do you do for a living?

16 A. I'm an attorney.

17 Q. Here in Houston?

18 A. Yes.

12:52:32

19 Q. And did you have an occasion to deal with a person  
20 named Delia Diaz?

21 A. Yes, I did.

22 Q. And did you have a judgment against Delia Diaz?

23 A. Yes, I did.

12:52:44

24 Q. And was that based as she was shown to be the owner on  
25 a piece of property and, well, something happened that

1 generated a judgment?

2 **A.** That is correct.

3 **Q.** Was a final payment due at a certain time?

4 **A.** Yes, it was.

12:52:59

5 **Q.** And do you recall approximately how much that payment  
6 was for?

7 **A.** \$270,000 or \$280,000, something in that range, give or  
8 take \$10,000.

9 **Q.** And was that payment made?

12:53:14

10 **A.** Yes, it was.

11 **Q.** And in what form was that payment made?

12 **A.** It was made in cashier's checks.

13 **Q.** And do you recall anything interesting about those  
14 cashier's checks?

12:53:29

15 **A.** Yes. When I came back to my office, there had been a  
16 number of cashier's checks. I don't know if it was 27 or  
17 28 or 29, something of that nature, all under \$10,000.  
18 They were right around \$9,500 each.

19 **Q.** And you received all those cashier's checks at the  
20 same time?

12:53:52

21 **A.** That is correct.

22 THE COURT: That was in payment of what kind of a  
23 debt?

24 THE WITNESS: Part of a judgment.

12:53:59

25 THE COURT: Okay.

1 Q. (By Mr. Magliolo) Now, was that the full amount of  
2 the judgment or had that judgment also already been  
3 partially paid?

4 A. There was another portion that had been partially paid  
5 over time.

12:54:12

6 Q. Do you recall what that time period was?

7 A. A five-year time span paid monthly.

8 Q. And do you recall approximately how much the monthly  
9 payments were?

10 A. \$3,840, something of that nature.

12:54:22

11 Q. So that would be just approximately \$250,000 that had  
12 been paid up to this date?

13 A. That's approximately correct.

14 Q. And were they also paid in cashier's checks, if you  
15 recall, or paid in some kind of check?

12:54:39

16 A. No. They were paid by debtor in possession bankruptcy  
17 checks.

18 Q. Would you accept cash for this in this amount of  
19 money?

20 A. If I had a paper trail on it, I guess so.

12:54:54

21 Q. What if you didn't?

22 A. No.

23 Q. So you received all these checks on the same date.

24 MR. MAGLIOLO: And, Your Honor, may we put up

25 40-C -- actually, C-40, Your Honor. It's an ongoing

12:55:08

1 dispute.

2 **Q.** (By Mr. Magliolo) Would this be a fair  
3 representation, same or similar to the 29 checks that you  
4 received in payment for this judgment?

12:55:36

5 **A.** Yes.

6 **Q.** And do you see the remitter, Delia Diaz?

7 **A.** Correct.

8 **Q.** And again, she was the subject of this lawsuit because  
9 her name appeared on the property where the occurrence  
10 happened?

12:55:48

11 **A.** That is correct.

12 **Q.** And you don't know whether she was really the owner of  
13 that property or not? She was just the titled owner?

14 **A.** That is correct.

12:55:57

15 MR. MAGLIOLO: Could we have, please, Exhibit 43.

16 **Q.** (By Mr. Magliolo) Does that look like a fair  
17 representation of the 29 checks that you received that  
18 completed the payment of the debt?

19 **A.** It does. Obviously, I have not seen those 29

12:56:21

20 cashier's checks in some time; but that appears to be a  
21 fairly accurate representation because I know they were  
22 all issued within a couple of months of each other but all  
23 delivered at the same time.

24 MR. MAGLIOLO: If I might just have one second,

12:56:44

25 Your Honor.

1 THE COURT: Yes.

2 MR. MAGLIOLO: That's all I have, Your Honor.

3 **CROSS-EXAMINATION**

4 BY MR. FAZEL:

12:57:00 5 Q. Is it Von Blon? Am I saying that correctly?

6 A. Yes, you are.

7 Q. Mr. Von Blon --

8 THE COURT: It is Blon, isn't it?

9 THE WITNESS: B-l-o-n, yes, sir.

12:57:09 10 THE COURT: It has been a while since you have  
11 been --

12 THE WITNESS: It has been.

13 THE COURT: -- in the courtroom here.

14 Q. (By Mr. Fazel) This judgment was pursuant to a matter  
12:57:16 15 in bankruptcy?

16 THE COURT: Let's put it this way: Since we have  
17 been in the same courtroom together. We'll put it that  
18 way.

19 THE WITNESS: That is correct.

12:57:24 20 THE COURT: Go on.

21 Q. (By Mr. Fazel) Yes. This judgment was in a  
22 bankruptcy proceeding, correct?

23 A. Yes, it was.

24 Q. When you say "titled owner," what kind of work do you  
12:57:34 25 do, sir? What kind of law do you practice?

1 A. I practice primarily in between, split between  
2 currently personal injury and family law.

3 Q. Okay. So -- but you are a lawyer. So when somebody's  
4 name is on a title of a piece of property, that makes them  
5 the owner of the property, correct?

6 A. That would appear to be on the face of it, correct.

7 Q. So if your name, sir, is on the title of your  
8 residence, that makes you the owner of that residence,  
9 correct?

10 A. I would agree with you.

11 MR. FAZEL: I pass the witness.

12 **REDIRECT EXAMINATION**

13 BY MR. MAGLIOLO:

14 Q. Well, would it be fair to say that in your experience  
15 as a lawyer people can put whatever title on a piece of  
16 property that they choose to put on? Would that be pretty  
17 much a fair statement?

18 A. I would agree also with that.

19 MR. MAGLIOLO: That's all we have, Your Honor.

20 **RECROSS-EXAMINATION**

21 BY MR. FAZEL:

22 Q. If Mr. Magliolo put his name on your residence, could  
23 he get the constable and kick you out of the residence  
24 because he is the name on the title now?

25 A. Without more?



1 Q. Well, if his name is on the title, he has got control  
2 of the title, would you agree with that? He has got  
3 control of the property, would you agree with that?

4 A. While I would agree with that, there are a lot more  
12:58:51 5 factors involved in your hypothetical there, too.

6 Q. We're in a time crunch.

7 THE COURT: No, we're not in a time crunch.  
8 Let's get it over and done with. No time crunch.

9 Q. (By Mr. Fazel) If Mr. Magliolo's name is on the  
12:59:04 10 title -- are you with me?

11 A. Yes.

12 Q. -- Mr. Magliolo has an absolutely 100 percent right to  
13 walk on that piece of property; and nobody can say  
14 anything about it, correct?

12:59:11 15 A. I would agree.

16 Q. He has got 100 percent control of that property, would  
17 you agree with that?

18 A. I would agree.

19 MR. FAZEL: Pass the witness.

12:59:16 20 **REDIRECT EXAMINATION**

21 BY MR. MAGLIOLO:

22 Q. If Mr. Fazel's mother --

23 (Laughter.)

24 MR. MAGLIOLO: We have no more questions, Your  
12:59:26 25 Honor.

1 THE COURT: Anything further?

2 MR. MAGLIOLO: No, Your Honor.

3 THE COURT: All right. Ladies and gentlemen,  
4 that completes this morning's session. As I mentioned, I  
12:59:35 5 have something scheduled at 2:00. It shouldn't take me  
6 more than 15 minutes. We'll be right on schedule.  
7 Remember, tomorrow we begin at 1:30 instead of 10:00 a.m.  
8 Thank you. We'll see you back after your lunch break at  
9 2:15.

12:59:50 10 THE MARSHAL: All rise.

11 (Jury exited courtroom at 12:59 p.m.)

12 THE COURT: We'll see you back at 2:15.

13 (Recess from 1:01 p.m. to 2:17 p.m.)

14 (Jury entered courtroom at 2:17 p.m.)

02:17:14 15 THE COURT: All right. Be seated. Call your  
16 next witness.

17 MR. MAGLIOLO: Juan Carlos Munoz, Your Honor.  
18 First name, J-u-a-n; middle name, C-a-r-l-o-s; last name  
19 Munoz, M-u-n-o-z.

02:17:37 20 THE COURT: Raise your right hand to be sworn.

21 (Witness sworn by the case manager through the  
22 interpreter.)

23 **JUAN CARLOS MUNOZ,**  
24 having been first duly sworn, testified through the  
25 interpreter, as follows:

**DIRECT EXAMINATION**

BY MR. PEREZ:

**Q.** State your name for the --

MR. PEREZ: Is everybody ready?

THE COURT: Go on.

**Q.** (By Mr. Perez) State your name for the Court and members of the jury, please, sir.

**A.** My name is Juan Carlos Munoz.

**Q.** Were you born in Mexico, sir?

**A.** Yes.

**Q.** Did you come to our country illegally?

**A.** Yes.

**Q.** And when did you arrive in our country illegally, sir?

**A.** On the 26th of August, 2007.

**Q.** Did you come by way of coyote?

**A.** Yes.

**Q.** How old are you, sir?

**A.** 19 years.

**Q.** When you arrived in 2007 -- how old are you right now?

**A.** 27 years.

**Q.** Do you know a person by the name of Juan Cepeda?

**A.** Yes.

**Q.** Is that the person that testified before you?

**A.** (Speaking Spanish.)

**Q.** Is he the person who was here before you?

1 **A.** Yes.

2 **Q.** And is he related to you, you said?

3 **A.** Yes.

4 **Q.** How is he related to you?

02:19:58

5 **A.** He is my brother-in-law.

6 **Q.** And when you arrived on August the 26th of 2007, why  
7 does that name ring a bell for you or that date ring a  
8 bell for you?

02:20:27

9 **A.** Because I remember well that I started off to get here  
10 on the 25th of August, and I got here on the 26th of  
11 August.

12 **Q.** When you arrived that Sunday, I guess you arrived here  
13 in Houston, right?

14 **A.** Yes.

02:20:40

15 **Q.** And when you arrived here in Houston that Sunday,  
16 where did you go work that day?

17 **A.** At the bar at Las Palmas.

18 **Q.** Do you recall what time you got to the bar at Las  
19 Palmas?

02:20:59

20 **A.** Between 6:00 and 7:00 in the afternoon, evening.

21 **Q.** Was Juan Cepeda, your brother-in-law, already there?

22 **A.** Yes.

23 **Q.** And who gave you the job there at Las Palmas when you  
24 arrived there that Sunday?

02:21:19

25 **A.** Again, I got there and I saw him and he told me to

1 start picking up the empty bottles. And I did that. And  
2 about two hours later, the owner came by; and she asked me  
3 was I over the age. And I said, "Yes." She told me to  
4 keep on picking up bottles.

02:22:14

5 MR. FAZEL: I'm sorry, Your Honor. I apologize.  
6 Just for the interpreter, did she say if you are under the  
7 age or if you are over the age? Would you check on that,  
8 please.

02:22:35

9 THE WITNESS: Yes. Was I over of the legal age.  
10 I was 19.

11 Q. (By Mr. Perez) And you said -- you mentioned Tencha.  
12 Is Tencha in the courtroom here today?

13 A. Yes. Yes.

02:22:53

14 Q. Will you please point to her and describe what she is  
15 wearing for the members of the jury, please, sir?

16 A. Over there.

17 Q. Can you describe what she is wearing, please?

18 A. (Speaking Spanish.)

02:23:10

19 MR. PEREZ: Your Honor, may the record reflect  
20 this witness has identified the defendant, Your Honor?

21 THE COURT: The record will so reflect.

22 Q. (By Mr. Magliolo) And that Sunday, did you work until  
23 the end of the night?

24 A. Yes.

02:23:22

25 Q. And do you recall what time you ended your shift that

1 night?

2 **A.** At 4:30 in the morning.

3 **Q.** And did you continue to work there after you arrived  
4 that Sunday?

02:23:38

5 **A.** Yes.

6 **Q.** Did you work there during the week or weekends or all  
7 the time?

8 **A.** The first six months I only worked Friday through  
9 Sunday.

02:23:57

10 **Q.** What were your hours that Friday through Sunday?

11 **A.** It was from 3:30 in the afternoon until 4:30 or 5:30  
12 in the early morning hours.

13 **Q.** For those first six months did you have another job?

14 **A.** Yes.

02:24:24

15 **Q.** Where did you work at that other job?

16 **A.** In a tube company from Monday through Friday.

17 **Q.** At some point after those six months did Tencha ask  
18 you to work for her full-time?

19 **A.** Yes.

02:24:48

20 **Q.** Explain that to the members of the jury, please.

21 **A.** It's because the man who was in charge of the rooms  
22 upstairs handing out the condoms and he was smoking too  
23 much tobacco and he was very drunk. She asked me could I  
24 go and work for a couple of weeks while she found another  
02:25:43 25 person.

1 Q. And did you do so?

2 A. Yes. And so I worked for two weeks, and I was going  
3 to tell her that I could no longer do it because I had  
4 lost a lot of sleep having to work my two jobs.

02:26:08

5 Q. So what happened then?

6 A. She told me she would hire me the whole week, not to  
7 leave. I accepted.

8 Q. So did you work for her full-time from at the end of  
9 those two weeks until 2013?

02:26:27

10 A. Yes.

11 Q. During those -- from, say, 2007 to 2013, what was your  
12 job description there at Las Palmas working for Tencha?

13 A. After the six months, I was only in the rooms,  
14 charging the room and for the condom.

02:26:58

15 Q. How much would you charge -- how much would Tencha  
16 have you charge for the room, for the use of the room?

17 A. \$15 at the beginning.

18 Q. And then?

19 A. After that, the last two years it went up to \$20.

02:27:24

20 Q. Was there a charge for the condoms, as well?

21 A. Yes. It was included in the \$15 or the \$20 they were  
22 lastly charging, but everything was separate.

23 Q. What do you mean everything was separate?

24 A. Because they would start charging at the place where  
25 they would charge the clients \$5 and at that same place

02:28:04

02:28:43

1 they would charge the women \$5 for a ticket that would  
2 allow them to go into the rooms. So after that they would  
3 bring that ticket to the rooms. They would have to hand  
4 it to me, and they would pay me \$15 more. And during the  
5 weekends there were other young men inside the rooms, and  
6 sometimes they would have to pay me \$10 and they \$5.

7 **Q.** And all this money would go to Tencha?

8 **A.** Yes.

02:29:09

9 **Q.** Were there rules that Tencha had in place there at Las  
10 Palmas regarding girls who worked there?

11 **A.** Yes.

12 **Q.** Tell the members of the jury what those rules were in  
13 regards to the girls who worked there as prostitutes?

02:29:32

14 **A.** That they had to go every day during the week while  
15 resting only two days. It was Tuesday when they would  
16 close the bar and one day more. It could be Monday or  
17 Wednesday or Thursday. If they missed more than the two  
18 days they were given to rest, at the beginning it would be  
19 \$20 for a weekday and for a weekend day \$40. After that,  
20 she took it away; and every day that they would be absent  
21 it would be \$40.

02:30:23

22 If they got there late, it was \$40 for being there --  
23 getting there late. If they got in early, as well, it was  
24 \$40.

02:30:53

25 And if they went with a client to the hotel, that was



1 \$40, as well.

2 And afterwards, there came out another rule that the  
3 pimps couldn't come and leave them off at the bar nor pick  
4 them up. And they would also be charged \$20 on Saturdays  
5 if they didn't pick up bottles.

02:31:26

6 **Q.** Was there any rule pertaining to minors set by Tencha?

7 **A.** No.

8 **Q.** When you say "no," did you ever bring it to her  
9 attention that there was perhaps some minor girls working  
10 at Las Palmas?

02:31:46

11 **A.** Yes. On several occasions I told her that there were  
12 women who looked to be minors.

13 **Q.** And what was her response in reference to your concern  
14 about the minors that you thought might be working there?

02:32:13

15 **A.** That if they had ID's showing they were of legal age,  
16 there was no problem. Leave them be.

17 **MR. FAZEL:** Objection, nonresponsive, Your Honor.

18 **THE COURT:** Sustained.

19 **Q.** (By Mr. Perez) And on several occasions what  
20 happened?

02:32:44

21 **A.** Tell them that they can remain for today and tell them  
22 that their men need to get them an ID. They know where to  
23 get them.

24 **Q.** And where did those IDs come from, if you know?

02:33:06

25 **A.** At the flea market, La Pulga.

1 Q. So if girls showed up that looked kind of young she  
2 said, oh, it's okay as long as they give me the ID that  
3 came from the flea market; is that correct?

4 A. Yes.

02:33:29

5 Q. Were you an illegal alien working there at the bar  
6 while you worked for Tencha?

7 A. Yes.

8 Q. Did she know you were an illegal alien?

9 A. Yes.

02:33:47

10 Q. Were there any security guards or a security guard  
11 working there at Las Palmas?

12 A. Only at the beginning there were two and then there  
13 was one and there towards the closing end of it there was  
14 no one. The last year there was no one.

02:34:18

15 Q. And these two guards and this one guard, did they  
16 carry a gun?

17 A. No.

18 Q. What -- describe how you knew they were security  
19 guards?

02:34:34

20 A. Because they wore the sweatshirt that said "security"  
21 only.

22 Q. So when you arrived that Sunday --

23 THE COURT: Hold up one second. Just one second.

24 MR. PEREZ: Yes, sir.

02:35:43

25 (Discussion off the record.)

1 THE COURT: All right. Sorry. Go right ahead.

2 MR. PEREZ: Yes, Your Honor.

3 Q. (By Mr. Perez) P-1, I'm going to direct your  
4 attention to the screen over here behind you.

02:35:59

5 MR. PEREZ: Will you turn down the lights, Your  
6 Honor, please. Thank you.

7 Q. (By Mr. Perez) What is depicted on P-1, sir?

8 A. It's the bar Las Palmas and Nuevo Amanacer -- no. No.  
9 It's Las Palmas, and on this side was La Feria.

02:36:28

10 Q. How about P-2?

11 A. The name -- the name changed the last year, and it  
12 changed to Nuevo Amanacer on the right side.

13 Q. When you say the last year, are you talking about  
14 2013?

02:36:53

15 A. Yes.

16 Q. That's been -- and October 2013 is when Tencha and the  
17 rest of the people got arrested; is that correct? You  
18 said that it was there until the end, toward the closing  
19 of the place. Are you referring to October 2013 when  
20 Tencha and the rest of the people were arrested?

02:37:12

21 A. Yes.

22 Q. P-6. What is depicted on P-6, sir?

23 A. It's a light bulb that would go on when the police  
24 would arrive so as to close the rooms.

02:37:35

25 Q. Was that light bulb installed there at the direction

1 of Tencha?

2 **A.** By orders of Tencha, yes.

3 **Q.** P-7. What's on P-7, sir?

4 **A.** That's the room to a -- that's a door to a room,

02:38:03

5 excuse me, where the women would have sex.

6 **Q.** What about P-7a?

7 **A.** That's the same room.

8 **Q.** P-10. What is depicted on P-10?

9 **A.** That's a room that's to the side of the last picture.

02:38:35

10 **Q.** P-11?

11 **A.** That's a room with the door to where the women used to  
12 go into to have sex that appeared in the last photo.

13 **Q.** How about P-23?

14 **A.** She is a prostitute that worked at the bar, but she

02:39:16

15 was asked to leave because she was about seven or eight  
16 months pregnant but she still wanted to keep on working as  
17 a prostitute. And as well, it turned out that she was a  
18 woman of a pimp who came out on TV when they were looking  
19 for him.

02:39:45

20 **Q.** What was the name of her pimp?

21 **A.** Poncho.

22 **Q.** Okay. Let me ask you this: On Government's Exhibit  
23 B, okay, do you recognize Poncho on that screen?

24 **A.** The one to the right at the top, yes.

02:40:10

25 **Q.** Okay. So Poncho was the pimp of the girl on P-23?

1 **A.** Yes.

2 **Q.** How about P-41 -- excuse me. Do you know if there was  
3 any relation between Poncho and Tencha?

4 **A.** I knew that they knew each other because Tencha  
5 commented to me that he had worked for her for many years  
6 before at the bar of the place that was called Las Flores.

7 **MR. FAZEL:** Objection, nonresponsive, Your Honor.

8 **THE COURT:** Sustained.

9 **Q.** (By Mr. Perez) What else did she comment to you?

10 **A.** And she commented to me -- she told me that Poncho  
11 years before had taken her many women to work as  
12 prostitutes.

13 **Q.** P-41. Do you recognize what's depicted on P-41?

14 **A.** Yes. That's where the condoms of -- that the women  
15 were given to go into the room.

16 **Q.** How about P-44?

17 **A.** That's a small door that was in the area that I was in  
18 to go into the bar that was already closed by the name of  
19 La Feria because they had the refrigerators with beer in  
20 there to bring them over into Nuevo Amanacer, the bar at  
21 Nuevo Amanacer because they didn't have the permit to sell  
22 beer. So they would hide them in the other bar that was  
23 already closed.

24 **Q.** Was that door there at Las Palmas before they changed  
25 the name from Las Palmas to Nuevo Amanacer?

1 **A.** Yes.

2 **Q.** P-78.

3 MS. POUNCEY: I don't have it.

4 MR. PEREZ: Okay.

02:42:56

5 **Q.** (By Mr. Perez) P-69?

6 **A.** She was a prostitute that worked at the bar.

7 **Q.** How about P-47?

8 **A.** That was the sheet of paper that at the end of the day  
9 I would write down the amount of sales.

02:43:34

10 **Q.** Whose handwriting is there on P-47?

11 **A.** It's mine.

12 **Q.** What is the date on there?

13 **A.** It's the fourth month, 28th day of the year of 2012.

14 **Q.** What does the number two stand for?

02:44:00

15 **A.** It was two condoms by themselves.

16 **Q.** Was this at the end of the night or the beginning of  
17 the night?

18 **A.** At the beginning of the shift.

19 **Q.** When it says "two," is that two boxes or just two  
20 condoms?

02:44:16

21 **A.** There are two loose condoms. It's 48 boxes of three  
22 condoms in each little box.

23 **Q.** So it's two, 48-condom boxes; is that correct?

24 **A.** Yes. Yes.

02:44:59

25 **Q.** It says "200" in the upper, right-hand corner. What

1 is that?

2 **A.** That was the deposit that was given to me to make  
3 change.

4 **Q.** And what is the 50, 20, 17 and 33? What is that?

02:45:18

5 **A.** There were 50 \$1 bills, 20 \$5 bills, 17 \$10 bills and  
6 33 \$20 bills; and at the bottom it says 10 plus 12 plus 2  
7 because she would go at different hours of the day to pick  
8 up money.

02:45:54

9 **Q.** How many times a day would she go to the prostitution  
10 place?

11 **A.** During the week she would go two times a day, and on  
12 weekends she would go three or four times during the day.

13 **Q.** Now, it says "284" up on one of the tickets. What is  
14 significant about 284?

02:46:26

15 **A.** That she was the 284th woman to go into the rooms to  
16 have sex.

17 **Q.** P-48, that's dated May 5th, 2012?

18 **A.** Yes.

02:46:56

19 **Q.** And like you testified in the previous one, is that  
20 three separate condoms or individual condoms?

21 **A.** Yes.

22 **Q.** And then below that, what does that signify? What is  
23 that?

02:47:23

24 **A.** That it was 12 boxes plus 48 boxes plus 48 boxes and  
25 that each one of those boxes had small boxes containing

1 three condoms each. It says 48 because the large box --  
2 can I point that out?

3 MR. PEREZ: Let the record reflect --

4 **A.** 48 boxes inside.

02:47:52

5 MR. PEREZ: Let the record reflect he is  
6 identifying Government 27, Your Honor.

7 THE COURT: The record will so reflect.

8 **Q.** (By Mr. Perez) I hand you what's been marked and  
9 introduced into evidence as Government Exhibit 27. Is  
10 this the box that you are talking about?

02:48:06

11 **A.** Yes. And inside this box there were 48 boxes like the  
12 one that's inside, and each box had three condoms.

13 **Q.** And Tencha would supply the condoms?

14 **A.** Yes.

02:48:33

15 **Q.** Now, you worked for her from the time you arrived?

16 **A.** Yes. The last year I worked for the pimps.

17 **Q.** We'll get into that in a few minutes. Okay.

18 MR. PEREZ: Now, if you could put up Government  
19 Exhibit B.

02:48:59

20 **Q.** (By Mr. Perez) Can you identify any of these people  
21 on Government Exhibit Number B?

22 **A.** Yes.

23 **Q.** There is a fellow up there named Eduardo Guzman, El  
24 Pantera. Do you recognize that man?

02:49:19

25 **A.** Yes. He was one of the pimps who was my boss during



1 the last year.

2 **Q.** Okay. That would have been, what, November 2012 until  
3 October 2013?

4 **A.** Yes.

02:49:33

5 **Q.** How about Abel Medeles, Chito? Who was he?

6 **A.** He charged for parking on weekends, and he is Tencha's  
7 brother.

8 **Q.** Now, you mentioned El Pantera in fact being a pimp.  
9 Did you know for a fact that he was a pimp?

02:49:57

10 **A.** Yes. His woman worked there at the bar.

11 **Q.** Okay. Alberto Mendez-Flores was he also a pimp?

12 **A.** Yes. He was also my boss.

13 **Q.** And did he have a woman working at the bar, as well?

14 **A.** Yes. Her name was XXXXXXXX.

02:50:18

15 **Q.** How about Jorge Teloxa-Barbosa also known as Eli?

16 **A.** He was also another pimp who was also my boss, and his  
17 woman also worked in the bar.

18 **Q.** Can you identify -- you have identified Poncho  
19 already.

02:50:43

20 **A.** Poncho is there on the right-hand side.

21 **Q.** How about Odelia Hernandez also known as La Morena?  
22 Do you recognize that person?

23 **A.** Yes. She worked with me during the first years when I  
24 was in the rooms where she sold the condoms.

02:51:06

25 **Q.** How about David Garcia? Do you recognize that person?

1 **A.** Yes. That is Tencha's son.

2 **Q.** Did he ever work there at Las Palmas?

3 **A.** No. He only went to pick up money from the pool  
4 tables.

02:51:28

5 **Q.** If you know, is La Morena related to Tencha?

6 **A.** Yes. It's her niece.

7 **Q.** How about the person identified on the board as Delia  
8 Garcia-Diaz? Do you recognize that person?

9 **A.** Yes. She is Tencha's daughter.

02:51:45

10 **Q.** Do you know what role, if any, she played at Las  
11 Palmas?

12 **A.** She didn't go to Las Palmas, but I know that she kept  
13 her count for her from the money that came from Las  
14 Palmas.

02:52:07

15 **Q.** How about Diana Medeles-Garcia? Do you recognize that  
16 person?

17 **A.** Yes. She is Tencha's daughter.

18 **Q.** Did you ever see her there at Las Palmas?

19 **A.** No.

02:52:22

20 **Q.** How do you know that's her daughter?

21 **A.** Because I got to see her photos on her -- in her  
22 house, and I knew she was her daughter.

23 **Q.** How about Guadalupe Valdez-Lugo?

24 **A.** She was Tencha's friend; and she worked at the bar,  
25 too. And for a time there she was in charge of the bar.

02:52:49

1 And she was at the bar selling beer for a time and also at  
2 the booth charging the entrance fees. And for a time she  
3 also was there charging the women if they came in late or  
4 left early. And she charged, and she gave the ticket to  
5 get into the rooms.

02:53:37

6 **Q.** How about Lilia Cerda? Do you recognize that person?

7 **A.** Yes.

8 **Q.** What did she do at Las Palmas?

9 **A.** She cleaned the rooms where the men would -- women,

02:53:56

10 excuse me, women would have sex.

11 **Q.** Was she related to Tencha?

12 **A.** She is Tencha's sister.

13 **Q.** What about Graciela Ochoa? Do you recognize that  
14 person?

02:54:10

15 **A.** Yes. She is Tencha's daughter.

16 **Q.** And did you ever see her at Las Palmas?

17 **A.** Yes. I got to see her several times.

18 **Q.** Did she work at Las Palmas?

19 **A.** No. The times I got to see her, it was before opening  
20 the bar.

02:54:31

21 **Q.** How about Talat Crippen also known as Chacho? Do you  
22 recognize that person?

23 **A.** Yes. He was the husband of a granddaughter of Tencha,  
24 and he worked in the parking charging for parking.

02:55:00

25 **Q.** How about Jose L. Uruga also known as Wicho? Do you

1 recognize that person?

2 **A.** Yes.

3 **Q.** And where did you see him, if you did?

4 **A.** I found out through other workers that he worked there  
5 at Las Palmas many years ago; and also, because several  
6 girls who didn't have any ID's, he would make them for  
7 them. He came several times to the bar to see a girl who  
8 might need an ID.

9 **Q.** How about Exhibit P-49? Do you recognize what is  
10 depicted on P-49?

11 **A.** Yes.

12 **Q.** What is depicted on P-49?

13 **A.** It's the names of the women who would go into the  
14 room, how long they were in, the time they came out.

15 **Q.** Whose handwriting is that?

16 **A.** Mine.

17 **Q.** Okay. Keep going.

18 **A.** So they had between 15 and 20 minutes; and if not,  
19 they would have to pay another \$10 extra for another 15  
20 minutes. And that mark over here in that line is for a  
21 woman who went beyond the 15 minutes.

22 **Q.** Let me ask you this: This P-49, did you turn sheets  
23 like this over to Deputy Edwin?

24 **A.** Yes.

25 **Q.** Did you work helping investigate Tencha and her

1 organization with Deputy Edwin?

2 **A.** Yes.

3 **Q.** And what made you decide to work with Deputy Edwin?

4 **A.** Because during the months when I went in, several of  
5 the workers at the bar had been arrested; and when they  
6 got out, they went over to the bar to ask for help because  
7 they had not said anything bad about the bar.

8 **Q.** Let me ask you this: Who did they go ask for help  
9 from?

10 **A.** The first one who asked for help was my  
11 brother-in-law.

12 **Q.** Did he ask for help from Tencha? He asked Tencha to  
13 help him?

14 **A.** Excuse me. I became confused. The men who were  
15 jailed because of working in the bars since they didn't  
16 want to say anything bad about the bar.

17 MR. FAZEL: Judge, I'm going to object to  
18 nonresponsive, narrative.

19 THE COURT: Sustained.

20 **Q.** (By Mr. Perez) Well, why did you decide to help law  
21 enforcement, Deputy Edwin?

22 **A.** Oh, okay. Well, since I saw that after those had been  
23 jailed and she wouldn't help them, I knew that if I were  
24 to be jailed she, too, wouldn't help me; and because I  
25 know that even if I left the bar, it is a delinquency that

1 I committed for having been working there at the bar. And  
2 even though I wasn't working there anymore, one day the  
3 police could find me; and they would jail me.

4 **Q.** So you decided to work with Deputy Edwin?

03:00:06

5 **A.** Yes.

6 **Q.** And as part of your duties in helping Deputy Edwin did  
7 you turn some of these sheets in to Deputy Edwin?

8 **A.** Yes. From every day since I started cooperating.

03:00:31

9 **Q.** And explain to the members of the jury how that  
10 process worked as far as you getting him the information?

11 **A.** All the information that I would collect I would turn  
12 it over to him on Tuesdays when I was off. Papers such as  
13 these and --

14 MR. CHAPUSEAUX: Recordings.

03:01:07

15 THE INTERPRETER: Recordings. Thank you.

16 MR. PEREZ: May I have a moment, Your Honor?

17 THE COURT: Yes.

18 (Sotto voce discussion with counsel.)

03:01:43

19 **Q.** (By Mr. Perez) Sir, I show you what's been marked and  
20 introduced into evidence as Government's Exhibit 37. Is  
21 this similar to what is depicted on the board as  
22 Government Exhibit 49?

23 **A.** Yes. Those are the sheets that I would turn over to  
24 him every week.

03:02:00

25 **Q.** Do you recall when you started turning these in to

1 Deputy Edwin?

2 **A.** Yes.

3 **Q.** When did you start?

4 **A.** It was like about more than two years before the bar  
5 was closed, almost three.

03:02:21

6 **Q.** And how would that process work? Did these -- weren't  
7 you supposed to turn them in to Tencha?

8 **A.** Yes. But I gave him one time a blank sheet, and he  
9 took out many copies. I would hide the sheets on my body.

03:03:02

10 I would fill out the sheets that I would turn over to her,  
11 and I would fill out the sheets that I would turn over to  
12 him. Every woman would come in, I would note her down on  
13 the papers that I gave her and on the papers that I gave  
14 him.

03:03:22

15 **Q.** Needless to say, did Tencha know that you were doing  
16 this?

17 **A.** No, she didn't know.

18 **Q.** And you would meet with Deputy Edwin how often?

19 **A.** Every Tuesday when I was off.

03:03:40

20 **Q.** And every time that you would meet with him, you would  
21 give him the duplicate of what you had given Tencha?

22 **A.** Yes.

23 **Q.** Now, you also mentioned that you did some recordings?

24 **A.** Yes.

03:04:07

25 **Q.** I show you what's been marked as Government Exhibit

1 A-1, and this is a CD containing a recording that I'm  
2 assuming you made for Deputy Edwin; is that right?

3 **A.** Yes.

4 **Q.** Do you recognize the initials on Government A-1?

03:04:34

5 **A.** Yes. They are my letters.

6 **Q.** And it says 3-28-15. Is that your handwriting?

7 **A.** Yes, those are my numbers.

8 **Q.** Did you listen to the recording on Government Exhibit  
9 A-1, and does it accurately record a conversation between

03:04:54

10 you and Tencha?

11 **A.** Yes.

12 **Q.** Did Tencha know you were doing these recordings?

13 **A.** No.

14 **Q.** And I show you what's been marked as Government A-1a.  
15 It's a translation. Did Deputy Edwin read the translation  
16 of Government A-1a; and after reading it to you, was it an  
17 accurate depiction of the translation and the recording  
18 that occurred on Government Exhibit Number A-1?

03:05:18

19 **A.** Yes.

03:05:44

20 **Q.** Government Exhibit A-2. Do you recognize the initials  
21 and conversation on A-2?

22 **A.** Yes. They are mine.

23 **Q.** Your initials and the date?

24 **A.** Yes, both of them.

03:05:55

25 **Q.** And on 3-28-15 is that when you listened to the



1 recording?

2 **A.** Yes.

3 **Q.** Okay. And Government A-2a, is that a translation,

4 although in English, that Deputy Edwin read to you; and

03:06:11

5 does that capture the translation -- capture the recording

6 on Government A-2?

7 **A.** Yes.

8 **Q.** A-3, is that another CD that contains a recording?

9 And those initials, "JCM, 3-28-15," are those your

03:06:31

10 initials and dates?

11 **A.** Yes. Those are my letters, and those are my numbers.

12 **Q.** Does this capture a recording made of you and Tencha?

13 **A.** Si'.

14 **Q.** Government Exhibit A-3a. A-3a is a translation,

03:06:54

15 although in English, that Deputy Edwin read to you. Does

16 that capture -- does the translation reflect what is

17 recorded on A-3?

18 **A.** Yes.

19 **Q.** A-5, are these your initials on the CD and the date

03:07:13

20 3-28-15?

21 **A.** Yes.

22 **Q.** Did you listen to the recording on A-5?

23 **A.** Yes.

24 **Q.** Does that capture the conversation that you recorded

03:07:24

25 between you and Tencha?

1 **A.** Yes.

2 **Q.** And Government Exhibit A-5-1, the same question, also.  
3 Did you hear that conversation between you and Tencha?

4 **A.** Yes.

03:07:41

5 **Q.** Does that accurately depict what was captured?

6 **A.** Yes.

7 **Q.** And A-5a, is that a translation of the conversation on  
8 A-5 and A-5-1?

9 **A.** Yes.

03:07:54

10 **Q.** And Deputy Edwin read this to you and did this  
11 capture -- although in English, it did reflect what was  
12 said on Government Exhibits A-5 and A-5-1?

13 **A.** Yes.

14 **Q.** A-6, initials JCM, 3-25-2015, is this a recording that  
15 you made between you and Tencha?

03:08:19

16 **A.** Yes.

17 **Q.** Did you listen to the recording?

18 **A.** Yes.

19 **Q.** And it captures what -- the conversation you had with  
20 Tencha?

03:08:29

21 **A.** Yes.

22 **Q.** A-6a, Government Exhibit A-6a, is this a translation  
23 in English that was read to you by Deputy Edwin; and does  
24 the translation capture the recording made on A-6?

03:08:52

25 **A.** Yes.

1 Q. A-7, are these your initials and dates?

2 A. Those are my initials, and I wrote down the date.

3 Q. And you listened to the recording -- on 3-28 you  
4 listened to the recording on A-7, and does that capture a  
5 recording made between you and Tencha?

03:09:07

6 A. Yes.

7 Q. And A-7a, although in English, it's a translation.  
8 Does it capture -- does it accurately capture the  
9 recording, the translation that occurred on A-7?

03:09:29

10 A. Yes.

11 MR. PEREZ: May I have a moment, Your Honor?

12 THE COURT: Yes.

13 Q. (By Mr. Perez) I'm going to direct your attention to  
14 February 2012. Is that the date that you made contact  
15 with Deputy Edwin?

03:10:09

16 A. Yes.

17 Q. How long after you made contact with Deputy Edwin --  
18 let me strike that.

19 Where did you first meet Deputy Edwin in February of  
20 2012?

03:10:25

21 A. At a business parking.

22 Q. Were you by yourself when you made contact with him?

23 A. Yes.

24 Q. And was Deputy Edwin by himself?

03:10:43

25 A. No.

1 Q. He was with another agent?

2 A. Yes.

3 Q. And how long after you made contact with Deputy Edwin  
4 did you start collecting these sheets, these room count  
5 sheets?

03:11:17

6 A. Since that same day that I saw him, the next day when  
7 I went to work.

8 Q. This lasted until when? Do you recall?

9 A. Until the bar closed.

03:11:35

10 Q. Until the people were arrested in October 2013?

11 A. Yes.

12 Q. Now, I'm going to go over some of the translations  
13 that you talked about. I'm going to direct your attention  
14 to April the 4th, 2012. Let me ask you this. Strike all  
15 that I just said.

03:12:08

16 Sometimes when the recordings were made were they made  
17 like in person and sometimes by telephone?

18 A. Yes.

19 Q. I want to direct your attention to April the 4th,  
20 2012. That would be A-1a, page two. I'm going to read  
21 this to you. Okay?

03:12:20

22 A. Okay.

23 Q. This says, "This is 700 for the tricks. Hold on. Let  
24 me pay you for the -- the cleaning." Then there is music  
25 in the background.

03:12:47

1 What does that signify, "This is 700 for the tricks"?

2 What is that all about? What are you telling Tencha?

3 **A.** (Speaking Spanish.)

4 **Q.** For the tricks.

03:13:04

5 **A.** I am giving her money that she went to pick up the  
6 first time during the day that had already been charged  
7 for the entrance to the rooms.

03:13:35

8 **Q.** It also says that you said, "All right. Okay. From  
9 the cleaning. Many were absent today or they came in  
10 late. XXXXXXXX was absent again. XXXXX came in late; and  
11 I think XXXXXXXX did, as well."

12 She says, "Well, yeah."

13 You then say, "Yes. But I haven't seen XXXXXXXX for  
14 some time."

03:13:48

15 She then says, "Oh, okay."

16 And then you say, "Neither."

17 You then said, "XXXXXXXXX."

18 "They are not written down?"

19 "In the list? No."

03:13:59

20 "Oh, okay."

21 "No. But I'll tell Dona Lupe."

22 And Dona Lupe is who?

23 **A.** She was the woman who was her friend who was at the  
24 booth who would charge for the ticket to go into the room.

03:14:18

25 **Q.** You say, "No. But I'll tell Dona Lupe to charge them

1 for being late. Because she charges several of them. Do  
2 I tell her?"

3 She then says, "Yes. Tell her about those three."

4 You said, "To charge them?"

03:14:30

5 "Uh-huh."

6 You then said, "She knows because, uh, the --"

7 And then Tencha says, "She fined them?"

8 What was that about?

9 **A.** Can you repeat the last part?

03:14:46

10 **Q.** "No. But I'll tell Dona Lupe to charge them for being  
11 late. Because she charges several of them. Do I tell  
12 her?"

13 She then said, Tencha says, "Yes. Tell her about  
14 those three."

03:14:56

15 You said, "To charge them?"

16 **MR. FAZEL:** Judge, I object. There is no  
17 question there.

18 **THE COURT:** Sustained.

19 **Q.** (By Mr. Perez) What was that conversation about?

03:15:07

20 That's the question.

21 **A.** That conversation was about the women who had been  
22 absent during the week.

23 **Q.** Okay.

24 **MR. FAZEL:** Objection, nonresponsive.

03:15:25

25 **THE COURT:** Sustained.

1 Q. (By Mr. Perez) Hold it. Then what were you going to  
2 say?

3 MR. FAZEL: Objection. That is not a question.

4 THE COURT: Hold on.

03:15:35

5 MR. FAZEL: I can't object and then him ask "What  
6 were you going to say," Your Honor. It seeks a narrative.  
7 It's an inappropriate question.

8 THE COURT: Sustained.

03:15:49

9 Q. (By Mr. Perez) Let me ask you this: Page three, it  
10 says, "Yes. Because the -- the -- the one who went --  
11 apparently she was charging XXXXXXXX 40 because she was  
12 absent one day of the week." That's you talking. Okay?

13 A. Yes.

14 Q. What were you telling her about that conversation?

03:16:05

15 MR. FAZEL: Judge, the evidence -- it's in  
16 evidence. It speaks for itself.

17 MR. PEREZ: Judge, it's not just a vacuum. He  
18 has got to be able to explain what is going on, Your  
19 Honor.

03:16:14

20 THE COURT: Overrule the objection.

21 Q. (By Mr. Perez) Go ahead.

22 A. Okay. That's because the women would get late to the  
23 bar or because they would be absent and that was the fine  
24 that was charged them for getting late to the bar or being  
25 absent. I charged them that fine.

03:16:36

1 Since Lupe was already working at the bar and she  
2 began fining the women, as well, so I asked Tencha should  
3 I charge them or should Lupe do it because Lupe was  
4 already charging them. I asked her that because I didn't  
03:17:18 5 want to have to charge the women twice because then they  
6 were going to be angry with me. And she told me, yes,  
7 tell her to charge them.

8 Q. Okay. Page four, you say, "She did not come  
9 yesterday."

03:17:38 10 Tencha then says, "Oh, she did not come? Oh, another  
11 one that might not come."

12 You then say, "And now she has not arrived either."

13 Tencha then says, "Oh, God, or what?"

14 You then say, "I don't know. Who knows, uh, you know  
03:17:57 15 how sometimes the pimps beat them up --"

16 Tencha then says, "Yeah."

17 You say, "-- that is why they do not come."

18 Tencha, "Well, yeah."

19 You then say, "That one -- the -- XXXXXX. She has not  
03:18:09 20 come?"

21 Tencha says, "XXXXXX didn't come either --"

22 You then say, "But that one, she says that she  
23 requested a two-weeks vacation."

24 Tencha then says, "Oh, yes, she told me that --"

03:18:21 25 You say, "Maybe she was also beaten up by her pimp --"



1 Tencha then mumbles, "Right."

2 You then say, "Uh?"

3 And Tencha chuckles.

4 What was that about?

03:18:37

5 **A.** That's because we were looking at the list of the  
6 women who were absent, and that was always to charge them  
7 fines because of the times they were absent. There was a  
8 conversation that we had face-to-face in the area where  
9 the fees for the rooms are charged. I was explaining to

03:19:07

10 her that -- that --

11 MR. PEREZ: (addressing interpreter) She had not  
12 come to work.

13 **A.** That she had not come to work. Okay. So then I told  
14 her that she had asked for two-weeks vacation because I  
15 had seen her beaten up.

03:19:31

16 And she said, yeah, it's sometimes pimps can beat them  
17 up.

18 And I said they beat them up.

19 And she said, yes. And she only went ha-ha-ha.

03:19:56

20 **Q.** (By Mr. Perez) This is a conversation that you  
21 recorded on April the 4th, 2012? Is this a conversation  
22 that you recorded on April the 4th, 2012?

23 **A.** (Speaking Spanish.)

24 **Q.** Is this a conversation that you recorded on April 4th,  
25 2012?

03:20:14

1 **A.** Yes.

2 **Q.** I want to direct your attention to a conversation on  
3 May 18th, 2012, on A-2, page six. It says here you say,  
4 "Yes. Oh, uh, I was going to ask you something, ma'am."

03:20:37

5 She says, "What?"

6 You say, "It's just that I -- I was thinking about  
7 telling you the other day; but I don't know if you could  
8 give me leave, uh, from -- well, it's just that I've --  
9 I've been working here a long time."

03:20:51

10 She then says, "Oh, don't even say that because I  
11 don't have anybody else."

12 You then say, "No, no, no, no. But not right now."

13 She says, "No?"

14 You tell her, "I want to go to Mexico like in  
15 December."

03:21:02

16 She then says, "Oh, in December, that's fine."

17 You then say, "No. From like in January or in  
18 December, but I wanted to ask you if you would give me  
19 leave one or two weeks."

03:21:12

20 She says, "Yes, that's fine."

21 "Because, well, you know that --"

22 She then says, "And are you going to come over here?"

23 "No, not right now, well, since --"

24 Page seven, she says, "And how will you come back?"

03:21:29

25 You then say, "Well, that -- that's why so I can save

1 money for the coyote."

2 She says, "Oh, for the coyote."

3 You then say, "Yes, because -- oh, hold on. This  
4 girl. Hold on. Yes, because it's been a long time since  
03:21:44 5 I have seen my -- my family in Mexico and I would like to  
6 see my mom but not until like January -- December --  
7 January. But I need to save because, you know, they  
8 charge a lot of money. Well, I don't have papers to go  
9 and come back."

03:21:59 10 She then says, "But do -- but do you have a coyote?"

11 You say, "No, I don't know. Do you know -- no, no,  
12 well, it's just that I want to save [money] because they  
13 charge a lot right now."

14 She then says, "A coyote -- well, Alex. Alex can  
03:22:12 15 cross you. He crossed -- uh, this one is very good  
16 crossing people."

17 Now, who is Alex?

18 **A.** Alex is a young man who worked as a security in the  
19 bar, and he knew how to cross people over. I asked her  
03:22:41 20 was he good at taking people across; and she said, yes,  
21 that he had helped bring over another employee of hers by  
22 the name of Juan.

23 Tencha told me she asked Juan for me. And Juan is who  
24 repaired the things when they would break down.

03:23:11 25 **Q.** Let me stop you there. Let's keep going to what is

1 captured in the translation. Okay. You say, "What?  
2 Who?"

3 She says, "Alex."

4 You then say, "But has he crossed people for you?"

03:23:21 5 She says, "Yes, well, he crossed this guy --"

6 You then say, "What guy did Alex cross?"

7 Tencha says, "This one...what's his name? The guy  
8 that used to work always with me. What is his name?"

9 You say, "Juan?"

03:23:36 10 She says, "Juan."

11 You then say, "Oh, he crossed him for you?"

12 "Alex crossed him," she says.

13 You then say, "So he is good at crossing people?"

14 She then says, "Yes, he is good at crossing people."

03:23:51 15 You say, "And does he not charge a lot?"

16 She says, "No."

17 You then say, "Yes, well, no, I'm not saying right  
18 now."

19 She then says, "But then, later on, uh --"

03:24:00 20 You say, "No."

21 She then says, "When the time comes, yes."

22 Then you say, "No, I -- I -- I because right now --"

23 You then say, "I'm letting you know right now because  
24 I still have to save the money because they charge a lot."

03:24:15 25 She says, "Yes."

1 "Right. I'm saying but -- no, I wanted to let you  
2 know since right now because -- but it's not until  
3 January."

4 "But it is going to be just you or is Juan going?"

03:24:26

5 You say, "No, I want to go by myself."

6 And I then direct your attention to June 23rd, 2012,  
7 A-3a, page three. In this conversation you say, "Yes, I  
8 tell you. Right? Were you not -- were you not going to  
9 charge that -- that XXXXXXXX anything?"

03:24:49

10 "No, because -- that -- that one -- she brought me  
11 that thing from the doctor."

12 You say, "That one, that one, that one was beaten.  
13 Did she bring you something from the doctor? I think that  
14 her pimp beat her."

03:25:02

15 She then says, "That day?"

16 You say, "Yeah."

17 She then says, "Well, I say that. She brought me --"

18 You then say, "Because I -- I saw her black and blue

03:25:15

19 marks, big ones. One here and -- and I saw that she had  
20 one here. And -- and I saw one here, a big, huge blue and  
21 black mark, and -- and I think she had one also over here.  
22 I think --"

23 She then says, Tencha says then, "I think he put her  
24 in the hospital."

03:25:26

25 You then say, "Who put her in the hospital?"

1 Tencha then says, "Her pimp."

2 You then say, "You think the pimp put her in the  
3 hospital?"

03:25:39

4 Tencha then says, "Yes. He beat her up and put her in  
5 the hospital. She was going to bring me that thing --"

6 And then you say, "Did she bring the note from the  
7 hospital?"

8 What was that conversation about?

03:25:57

9 **A.** It had to do with a woman who was a prostitute at the  
10 bar. That woman belonged to La Pantera, one of the three  
11 pimps that you showed me. She said not to charge her  
12 fines because she had taken her a note saying she had been  
13 in the hospital.

03:26:28

14 I told her that she had pictures here and there and  
15 here and there, showing her various parts of the body  
16 where I had seen bruises.

17 Yes. She said it's that sometimes the padrotes send  
18 them to the hospitals because of how they beat them.

03:26:56

19 **Q.** I'm going to direct your attention to A-5a dated June  
20 29th, 2012. It says on page one, toward the bottom, it  
21 says you say, "Yes, let me give you the money. That's  
22 fine. This guy has just arrived."

23 Who had just arrived?

24 **A.** Can you ask the question, please, again.

03:27:22

25 **Q.** Okay. Page one, you say, "Yes, let me give you the

1 money. That's fine. This guy has just arrived."

2 You then say, "Uh, but he does not have documents,  
3 right?"

4 She says, "No."

03:27:33 5 Then you say, "Pablo doesn't have any?"

6 She then says, "No."

7 "So then how does he do it to go back and forth to  
8 Mexico so quickly?"

9 She then says, "No, but he was not in Mexico."

03:27:47 10 "He told me that he went to Mexico."

11 "Well, who knows."

12 You then say, "He -- he -- told -- told me -- before  
13 he left he told me he was going to go to Mexico."

14 She then says, "Well, who knows."

03:27:57 15 You said, "I told myself, I don't know where this guy  
16 gets so much [money] from in order to go back and forth  
17 [to Mexico] in a flash. It's hard -- and -- and -- he  
18 says he goes when he go -- when he wants and he comes back  
19 when he wants to."

03:28:11 20 She then says, "Yes, because he already knows how to  
21 cross over."

22 You then say, "Oh, he knows how to cross over?"

23 "Uh-huh. He already knows."

24 You then say, "Oh, well, he is the brother of -- Alex  
03:28:25 25 crosses him over, right?"

1 She says, "That's right --"

2 You say, "He says that --"

3 She says, "-- they already know everything."

4 What was that conversation about?

03:28:39

5 **A.** It had to do with that I was asking her had Pablo

6 already returned, a person who works selling beer. And

7 she told me he didn't go to Mexico. And I told her he

8 told me he had gone to Mexico. And so I asked her how can

9 he go so often to Mexico if he has no papers, that he must

03:29:15

10 have a lot of money to pay coyotes. And she tells me that

11 it's because he already knows the road to go through

12 because he is Alex's brother, the other young man who

13 worked as a security. And that's the one she was

14 recommending to cross me over if I went to Mexico because

03:29:56

15 that's why Pablo goes to Mexico and comes back. He

16 already knows the road through which to cross over

17 illegally.

18 **Q.** I'm going to direct your attention to A-6a, dated

19 August 17th, 2012, page one.

03:30:25

20 It says here, "Poncho?"

21 You say, "Yes. You were saying Poncho, which one, the

22 one -- the pimp?"

23 She says, "Yes, the pimp."

24 You say, "Yes?"

03:30:35

25 She says, "Huh-huh."



1 You then say, "The one that used to come with Gato?"

2 She says, "Yes. The pimp."

3 You say, "Oh -- yes."

4 She says, "-- time, the one that was going around with

03:30:49

5 that one, the bald one, the bald one, the one --"

6 You say, "I remember Gato, the -- the one from

7 Daniela, the one that had Daniela --"

8 Who is Poncho? Is that the Poncho you identified

9 earlier as the pimp?

03:31:03

10 **A.** Yes.

11 **Q.** Who is Gato?

12 **A.** He was another pimp.

13 **Q.** And the bald one, who is the bald one?

14 **A.** She referred to Poncho as Pelon.

03:31:25

15 **Q.** Page two, "Do you remember the bald one, that bald one  
16 that was going around, the bald one that -- uh -- that was  
17 going around, what is her name? I don't remember. What  
18 was that woman's name, the one that was --"

19 Then it says, "-- he was fighting, that one -- the one  
20 that we used to call Pelon, the bald one. The one --"

03:31:36

21 What was that conversation about?

22 **A.** Because we were talking about him because he took a  
23 woman to work at the bar and she told me that El Pelon had  
24 brought her and I asked her which Pelon. Oh, I said,

03:32:05

25 Poncho; and she said, yes, the pimp. And he told me that

1 he had brought her over as his woman, that he, Poncho, had  
2 called Tencha. And that to tell her that he wanted to  
3 take a woman who was his to prostitute her in the bar. So  
4 then she told me that Poncho had called her to tell her  
5 that she was going to bring the woman to work at the bar.

03:33:02

6 Q. Okay. Page three toward the bottom it says, "No. Uh  
7 -- well, yes, I'll tell them today but -- that one --  
8 Poncho is the one you said but -- but wasn't that the one  
9 -- that they came that -- that the police caught a woman  
10 and they were looking for him because he hit her or  
11 something like that? Poncho, don't you remember that the  
12 police was looking for him the other day?"

03:33:22

13 She then says, "Oh, well, who knows. I don't  
14 remember -- I don't remember very well what he did do [for  
15 a living] but I know he was going around with that girl.  
16 I don't remember that he was fighting with her. But I  
17 already told him, I said, 'I don't want the pimps over  
18 there' I said, 'you know.' I said, 'I don't want you to  
19 show up over there...'"

03:33:34

20 You then say, "Who did you tell? Poncho?"

03:33:47

21 And she then says, "To Poncho."

22 You say, "The girls' pimp?"

23 She then says, "Because he is the one that talked to  
24 me."

03:33:59

25 "He called you?"

1 "No, I also told her -- I told her -- I told her,  
2 'Well, look,' but I said, 'But you, man, cannot come  
3 over.' She said, 'Yes, yes, yes, he already knows.' She  
4 said 'He knows'."

03:34:16

5 She says, "He knows."

6 You say, "Came to drop her off here but that he -- he  
7 was coming in his car, and she was coming in hers."

8 She then says, "Oh, to show her --"

9 "Yes, to show her where it is."

03:34:27

10 "Uh, well. No, well, yeah, I also remember Gato. Do  
11 you remember Gato?"

12 She then says, "Yes."

13 "Daniela, she was here the other day I saw her."

14 She says, "And I said, 'Yes, we have new rules.'"

03:34:42

15 You say, "Yes, you see before they did come and stayed  
16 here."

17 "Uh-huh."

18 "No, I also told him -- I told him -- oh, do you want  
19 me to call the other girl so you can see her, the other  
20 one? Or will you wait or what?"

03:34:52

21 She then says, "No, leave it like that."

22 And then I guess you are counting the money. And she  
23 says, "Is she making a deal?"

24 And you say, "Excuse me?"

03:35:03

25 "Did she go up already?"

1 "Yes, she went upstairs like two, three times, but  
2 that's the one that is going upstairs often is this one.  
3 This one, XXXXX is her name. Yeah, she --"

03:35:19

4 "Yeah, that one is like she already knows quite a  
5 bit."

6 You say, "That one has been upstairs like five or six  
7 times. Yes, since early --"

8 She then says, "Those pimps, they tell them how to do  
9 it. Really good."

03:35:31

10 What is that all about?

11 MR. FAZEL: Judge, I'm going to object to the  
12 form of the question.

13 THE COURT: Excuse me. Yes, sir.

14 MR. FAZEL: I object to the form of the question.  
15 Seeks a narrative.

03:35:37

16 THE COURT: All right. Question and answer.

17 MR. PEREZ: Your Honor, I'm trying to explain.

18 THE COURT: He is entitled to question and  
19 answer.

03:35:43

20 **Q.** (By Mr. Perez) Okay. Can you explain what the  
21 conversation was about?

22 THE COURT: Yes or no?

23 THE WITNESS: Yes. (Speaking Spanish.)

24 THE COURT: Yes or no?

03:35:52

25 THE INTERPRETER: Yes. Yes.

1 Q. (By Mr. Perez) Explain it for the members of the  
2 jury, please.

3 A. Okay. She was talking with me and telling me that  
4 Poncho, the padrote, had called her to tell her that he  
5 was bringing in a new woman. So that man took her all the  
6 way to the bar, but she in her car and he in his. And he  
7 was saying that she was working too much as a prostitute.

8 So I asked is that Poncho's woman, Poncho, the pimp  
9 that the police were looking for; and she says, I don't  
10 remember that. I said the woman works a lot. And she  
11 says it's the pimps show them how to do it, to work a lot.

12 But I already told Poncho when he called me that there  
13 is a new rule that the pimps can't come over here, not  
14 even eat because it used to be that they would come and  
15 leave them at the bar. And at night, when they would get  
16 off, the pimps would be there waiting for them outside the  
17 bar.

18 And she, Tencha, told me that she had told Poncho, the  
19 pimp, that those were the new rules; but the pimps  
20 couldn't come to the bar.

21 Q. (By Mr. Perez) I want to direct your attention to  
22 October the 12th, 2012, A-7a, page one. It says Tencha  
23 says, "If nothing happens. Okay. We can start all over  
24 again. And you can be the one left in -- in -- in charge  
25 of everything. But I wanted to know --"

1 What is that about?

2 **A.** Please repeat it.

3 **Q.** Tencha says, "If nothing happens. Okay. We can start  
4 all over again. And you can be the one left in -- in --  
5 in charge of everything. But I wanted to know --"

6 **A.** Can I explain?

7 **Q.** Sure.

8 **A.** It was a conversation where Jorge, Tencha's boyfriend,  
9 was there.

10 **Q.** Not Jorge, the pimp?

11 **A.** Jorge, the pimp, no. Jorge, Tencha's boyfriend, and  
12 my brother-in-law and myself. And that was when the  
13 police came and tore down the door to the rooms. She  
14 closed the bar for about one or two weeks. She was  
15 proposing to my brother-in-law Juan that he open the bar,  
16 to find someone who would get the license for the bar and  
17 the money that the bar would earn to give her half but for  
18 him to act as though he were the owner and that she was no  
19 longer the owner.

20 **Q.** Let me direct your attention to page two of that  
21 conversation that you were talking about on October the  
22 12th, 2012, A-7a.

23 It says Tencha, "No, that's what I want you to do.  
24 Look, I want to -- I want for you to -- if you could do  
25 that. I don't want to get involved in that anymore."

1 "That's right, but --"

2 "You'll stay as the one in charge and just -- the only  
3 thing is that -- that you can give me some from there --"

4 You then state, "The money."

03:40:40

5 She says, "-- without me getting involved at all. So  
6 just give me the -- just the half that I want and that's  
7 all."

8 You then said, "Oh, half of whatever comes out."

9 She says, "Whatever comes out and then you -- and you  
10 can be in charge and you can be in charge anyway."

03:40:54

11 You then say -- I'm sorry. It wasn't the -- you then  
12 say, "But you want to open it like it used to be. Like it  
13 used to be?"

14 Cepeda then goes, "Yes."

03:41:11

15 And she says, "Yes, yes."

16 That's when you are describing that she wants him to  
17 take over the bar?

18 **A.** It's that Juan Cepeda becomes in charge of the bar.

19 **Q.** Did he, in fact, take over the bar?

03:41:28

20 **A.** No.

21 MR. PEREZ: May I have a moment, Your Honor?

22 THE COURT: Okay.

23 MR. PEREZ: I'll pass the witness, Your Honor.

24 THE COURT: We'll take a break at this time.

03:41:54

25 It's almost now exactly 3:45. We'll take a break. Get

1 ready to resume back at 4:00. We'll see you then.

2 THE MARSHAL: All rise for the jury.

3 (Jury exited courtroom at 3:42 p.m.)

4 (Discussion off the record.)

03:44:29

5 THE COURT: Raise your right hand to be sworn.

6 MS. HOLBERT: (Complying.)

7 (Ms. Holbert was sworn by the case manager.)

8 THE COURT: All right. Are you having trouble  
9 with an employer? Is somebody giving you trouble?

03:44:39

10 MS. HOLBERT: No. I have my boss questioning me.

11 THE COURT: Who is that?

12 MS. HOLBERT: Terri.

13 THE COURT: Who?

14 MS. HOLBERT: Terri Bennett.

03:44:46

15 THE COURT: Who is he?

16 MS. HOLBERT: She.

17 THE COURT: Where?

18 MS. HOLBERT: My supervisor at TDCJ.

19 THE COURT: She is having a problem with you  
20 coming to court?

03:44:54

21 MS. HOLBERT: She questions me.

22 THE COURT: Are you getting docked?

23 MS. HOLBERT: Yes. They are making me use  
24 vacation days.

03:45:01

25 THE COURT: Who is "they"?



1 MS. HOLBERT: TDCJ.

2 THE COURT: Is that a policy of TDCJ?

3 MS. HOLBERT: That's what they said.

03:45:08

4 THE COURT: All right. I want the name. I want  
5 her name and her phone number.

6 MS. HOLBERT: Okay.

7 THE COURT: If you want me to start in. I don't  
8 put up with that.

03:45:15

9 MS. HOLBERT: They told me. I asked my boss just  
10 the other day when I put in for today.

11 THE COURT: And?

12 MS. HOLBERT: She said you have to use a vacation  
13 day. I left you his name and number to call. She said  
14 that's policy.

03:45:23

15 THE COURT: I'll tell you what. Let's get him on  
16 the phone right now in open court. Let's go.

17 MS. HOLBERT: I know that she is on vacation.

18 THE COURT: I don't care. The big boss.

19 MS. HOLBERT: That's the one that's on vacation.

03:45:39

20 I have to turn my phone on to get her number.

21 THE COURT: Okay. What is the number?

22 MS. HOLBERT: It's not on yet.

23 MR. FAZEL: May we be seated while you are on the  
24 bench?

03:46:13

25 THE COURT: You may be at your own business.

1 Keep the noise down.

2 MR. MAGLIOLO: May I run to the restroom?

3 THE COURT: Yeah. Everybody can get out of here  
4 if you want. I just need the phone number.

03:46:27

5 MS. HOLBERT: My phone is about dead.

6 CASE MANAGER: Do you need my charger cord?

7 MS. HOLBERT: No. It is just about there. The  
8 number is not in my phone. This is a new phone.

9 THE COURT: Have you got it in there?

03:47:02

10 MS. HOLBERT: I don't think so. Wait. I have  
11 Jason's number.

12 THE COURT: I want to talk to the person that I  
13 can -- who is your immediate supervisor there?

14 MS. HOLBERT: Terri Bennett. She is on vacation.

03:47:15

15 THE COURT: Who is the one above her?

16 MS. HOLBERT: Robert Compton.

17 THE COURT: Get me the number. Do you have it  
18 there?

19 MS. HOLBERT: I have got Jason's. I can get --

03:47:24

20 THE COURT: Who is Jason?

21 MS. HOLBERT: He is the HR guy he told me to  
22 contact. I can get it from him if you would like me to do  
23 it.

24 THE COURT: Get him on the line. No. No. Right  
25 here at the courthouse. What is the number?

03:47:33

1 MS. HOLBERT: I was going to get Robert's number  
2 from Jason. Is that okay?

3 THE COURT: Just get it for me. We'll do it --  
4 when we get back in, we'll do it. I'll issue an arrest  
03:47:44 5 warrant if they give us any crap. It's that simple. I  
6 don't put up with state people getting docked to come down  
7 here when you get warranted down.

8 (Phone ringing.)

9 CASE MANAGER: Mr. Compton, my name is Ellen  
03:54:51 10 Alexander. I work for the United States District Judge  
11 David Hittner. We have one of your employees in court  
12 right now, a Rita Holbert. And Judge wanted to talk to  
13 you. So don't hang up. I'm going to go get him and bring  
14 him to the bench. Okay?

03:55:06 15 MR. COMPTON: Okay.

16 THE COURT: All right. Be seated. Let's go on  
17 the record. To whom am I speaking, please?

18 MR. COMPTON: This is Robert Compton.

19 THE COURT: We have a witness down here in this  
03:56:35 20 major human trafficking case that's also money laundering.  
21 It's been ongoing a week, and we have one of your  
22 employees. What's your name, please?

23 MS. HOLBERT: Rita Holbert.

24 THE COURT: Rita Holbert. I just asked her if  
03:56:50 25 she is she being compensated. She says, no, that

1 apparently she is being charged a vacation day to come  
2 down to federal court on this kind of a matter; is that  
3 correct?

4 MR. COMPTON: I was not aware of that, Judge.

03:57:01

5 THE COURT: I think this is terrible. And before  
6 I start making, in effect, a federal case out of it, I  
7 hope you will look at it. She was told, by who, the HR  
8 people, right, and her immediate supervisor that she would  
9 be docked. She got a federal subpoena to assist our court  
10 because we have your people here all the time and vice  
11 versa. That she was going to be docked a day of vacation  
12 for coming down here. Is that the policy of your  
13 department?

03:57:20

14 MR. COMPTON: No, sir, not that I'm aware of.  
15 I'm not her immediate supervisor.

03:57:32

16 THE COURT: Well, hold it. I understand you are  
17 higher up the line.

18 MR. COMPTON: Yes, sir.

19 THE COURT: Can you check on that, please, --

03:57:41

20 MR. COMPTON: Yes, sir.

21 THE COURT: -- before I start getting people from  
22 your department down here?

23 MR. COMPTON: Yes, sir.

24 THE COURT: The feds and the state have to work  
25 together, and I assure you we don't abuse the subpoena

03:57:47

1 process. We're actually in the middle of, what is it, one  
2 of the undercover informants testifying; and I'm just  
3 taking a break, as I do out of a courtesy, for someone  
4 coming down. And she is going to be on the stand maybe  
5 five or ten minutes, and she will be out of here.

03:58:05

6 Can you double-check on that and get back with me on  
7 it?

8 MR. COMPTON: Yes, sir. Could I speak to your  
9 assistant again and get the contact information?

03:58:15

10 THE COURT: Yeah. I'm going to tell her. We  
11 have a packed courtroom. We have a full courtroom here.  
12 I don't know if any press is here or not. Everybody,  
13 we're going to work on this. Okay?

14 MR. COMPTON: Yes, sir.

03:58:26

15 THE COURT: So before anything shows up with the  
16 press, let's see what happens. I really appreciate your  
17 help on this because if we can't have the jury system and  
18 we can't cooperate with one another, it's going to be a  
19 real problem. And in all of my years -- I have been on  
20 the federal side 29. I was on the state side eight. And  
21 I have not seen this policy before. So, yeah, I'll leave.

03:58:40

22 By the way, tell the jury -- if you would, tell the  
23 marshal that it will be about, oh, let's do it ten after  
24 because we've literally been here our whole -- what is it  
25 -- our whole break period. Thank you very much, sir, for

03:58:57

1 your help.

2 MR. COMPTON: Yes, sir. I'm glad to help.

3 THE COURT: Okay. We're going to go off the  
4 record. Ellen will visit with you. Thanks again, sir.

03:59:09

5 MR. COMPTON: You're welcome, Judge.

6 (Recess from 3:59 p.m. to 4:12 p.m.)

7 THE COURT: Call the jury in, please. We will  
8 take this witness out of order, correct?

9 MR. MAGLIOLO: Yes, Your Honor. It will be five  
10 minutes, I expect. Ten, maybe.

04:12:40

11 (Jury entered courtroom at 4:12 p.m.)

12 THE COURT: All right. Be seated. I don't know  
13 if you heard any noise coming through the door. Okay. I  
14 was not going at the lawyers or anybody else. I will tell  
15 you what it was about when we're done. I had to get some  
16 outside person on the telephone as a federal judge. And,  
17 anyhow, I will tell you about that because it is going  
18 down here.

04:13:22

19 We're taking one witness out of order, a short  
20 witness. We completed the witness' direct testimony.  
21 We're going to take a short witness out of order. Then  
22 we'll get back into our sequence.

04:13:38

23 Government, call your next witness.

24 MR. MAGLIOLO: Rita Holbert, Your Honor.

04:14:00

25 THE COURT: Raise your right hand on the record

1 to be sworn.

2 THE WITNESS: Yes.

3 (Witness sworn by the case manager.)

4 THE COURT: Have a seat, please.

04:14:09

5 THE WITNESS: (Complying.)

6 MR. MAGLIOLO: May I proceed, Your Honor?

7 THE COURT: Yes, sir.

8 **RITA HOLBERT,**

9 having been first duly sworn, testified as follows:

04:14:16

10 **DIRECT EXAMINATION**

11 BY MR. MAGLIOLO:

12 **Q.** Ma'am, state your name for the ladies and gentlemen of  
13 the jury.

14 **A.** Rita Holbert.

04:14:23

15 **Q.** And did you and your husband own a piece of property  
16 at 16501 North Shore; Channelview, Texas?

17 **A.** Yes.

18 **Q.** Would you take a look at that. That's Government's  
19 P-51. And I would ask you is that the house?

04:14:40

20 **A.** Yes.

21 **Q.** What city was it again? Where was it located? What  
22 city was it located?

23 **A.** Channelview.

24 THE COURT: Channelview. Thank you.

04:14:48

25 **Q.** (By Mr. Magliolo) Did you end up selling that house

1 to the Garcia family?

2 **A.** Yes.

3 **Q.** Who was more involved in that sale? You or your  
4 husband?

04:14:55

5 **A.** My husband.

6 **Q.** And he is not available to testify?

7 **A.** Deceased.

8 **Q.** He passed away rather quickly?

9 **A.** Yes.

04:15:02

10 **Q.** Did you have contact with anyone involved in that  
11 sale?

12 **A.** After his passing, yes.

13 **Q.** And was that a person you came to know as Delia?

14 **A.** Yes.

04:15:18

15 **Q.** And do you see her photograph on -- in fact, if we  
16 could put the photos on the screen, please, ma'am.

17 **A.** Yes.

18 **Q.** On the screen, ma'am.

19 **A.** Yes.

04:15:29

20 **Q.** Where would she be?

21 **A.** Second row center.

22 **Q.** It says Delia Garcia-Diaz?

23 **A.** Uh-huh.

24 **Q.** And what contact, if any, did you have with Ms. Delia  
25 Garcia?

04:15:43



1 **A.** Phone contact only.

2 THE COURT: Is that who you sold the property to?

3 THE WITNESS: It was sold to David.

4 THE COURT: You will want to pull that in place.

04:15:55 5 Pull the microphone in. It was sold to whom?

6 THE WITNESS: David.

7 THE COURT: David who?

8 THE WITNESS: Garcia.

9 **Q.** (By Mr. Magliolo) When you say it was sold to David,  
04:16:04 10 he is the person whose name was on the paperwork?

11 **A.** Yes.

12 THE COURT: You think you sold the property to  
13 Delia, but David's name was on the deed; is that correct?

14 THE WITNESS: She was the contact person.

04:16:13 15 THE COURT: Okay.

16 MR. MAGLIOLO: Can we quickly put up C-5 and run  
17 through to C-13?

18 **Q.** (By Mr. Magliolo) And as we go through them, do these  
19 look like the checks that you all received for the payment  
04:16:34 20 of the channel -- the 16501 North Shore; Channelview,  
21 Texas property?

22 **A.** Yes.

23 THE COURT: Was that -- that wasn't the total  
24 amount, or was it?

04:16:44 25 THE WITNESS: No. Monthly payment.

1 THE COURT: Is that \$1,300?

2 THE WITNESS: Yes.

3 THE COURT: Okay. Okay.

04:16:55

4 Q. (By Mr. Magliolo) Is this what you would call an  
5 owner finance?

6 A. Yes.

7 Q. Now, even though you thought you were selling the  
8 property to David Garcia, it doesn't appear that David  
9 Garcia signed the checks?

04:17:10

10 A. Correct. Yeah, I don't think that is.

11 Q. Could you flash through the checks kind of quickly to  
12 get a big picture of them. Oh, one other question. The  
13 signature on the back of the check, that would be your  
14 husband's signature?

04:17:21

15 A. Yes.

16 Q. Okay.

17 A. Absolutely.

18 THE COURT: Do you know who Raquel Garcia is?

19 THE WITNESS: No, sir, I don't.

04:17:36

20 THE COURT: Just to check, the check did clear,  
21 correct?

22 THE WITNESS: Yes.

23 THE COURT: Okay.

24 MR. FAZEL: Is there a question?

04:18:05

25 MR. MAGLIOLO: Could we have 9-A on the board,

1 please.

2 **Q.** (By Mr. Magliolo) And does that look like what would  
3 be called the vendor's lien where it shows that allegedly  
4 David owes you money?

04:18:20

5 **A.** Yes.

6 **Q.** And page two, whose signature is that? Do you  
7 recognize any of the signatures on page two?

8 **A.** Yes.

9 **Q.** And who would that be?

04:18:34

10 **A.** My husband and myself.

11 **Q.** Then I would direct your attention. They pay -- and  
12 those checks paid off the property, correct?

13 **A.** Yes.

14 **Q.** And then could we put 9-B up. That's entitled,  
15 "Release of Lien." It looks like the original amount is  
16 \$80,000. And then, the property was afterwards paid for  
17 and put in David Garcia's name?

04:18:52

18 **A.** Yes.

19 **Q.** Now, did you ever see the person you knew as Delia at  
20 the property itself?

04:19:07

21 **A.** Before he sold it to her, yes.

22 **Q.** When they were kind of exploring whether or not they  
23 were going to buy it or not?

24 **A.** She walked through, yes.

04:19:17

25 **Q.** Was she by herself or with someone else?

1 A. With an older woman.

2 Q. And did she identify that woman to you?

3 A. No. But I heard her say "mom."

4 MR. MAGLIOLO: That's all we have, Your Honor.

04:19:27

5 **CROSS-EXAMINATION**

6 BY MR. FAZEL:

7 Q. Ma'am, very briefly. Who was living in the property  
8 after you sold it? Do you know?

9 A. I have no clue.

04:19:38

10 Q. Could it be David Garcia, or you just don't know?

11 A. I don't know.

12 MR. MAGLIOLO: She answered she didn't know, Your  
13 Honor.

14 THE COURT: Didn't know.

04:19:45

15 MR. FAZEL: Yes, Your Honor.

16 Q. (By Mr. Fazel) As far as the prosecutor saying that  
17 allegedly on the Exhibit 9a where --

18 MR. FAZEL: I'm sorry. I hate to do this to you.  
19 Thank you.

04:19:57

20 Q. (By Mr. Fazel) According to that document, who is the  
21 owner of the property 9a?

22 A. My husband and myself.

23 Q. And who is it being sold to?

24 A. David Garcia.

04:20:10

25 Q. So, legally, it's David Garcia's property, correct?

1 MR. MAGLIOLO: We object to the form of that  
2 question. It's a legal conclusion.

3 THE COURT: Sustained.

4 MR. MAGLIOLO: Thank you.

04:20:18

5 THE COURT: Rephrase.

6 **Q.** (By Mr. Fazel) According to that document and your  
7 intent, who were you selling the property to?

8 **A.** David Garcia.

9 MR. FAZEL: Thank you.

04:20:27

10 THE COURT: Anything further?

11 MR. MAGLIOLO: Nothing from the United States,  
12 Your Honor.

13 THE COURT: Thank you. You may step down. You  
14 are excused. You are free to leave. Thank you for  
15 coming, ma'am.

04:20:34

16 THE WITNESS: Thank you, Your Honor.

17 THE COURT: Do you want to recall the other  
18 witness, please?

19 MR. PEREZ: I had passed the witness. Yes, Your  
20 Honor.

04:20:50

21 THE COURT: You passed the witness. We need to  
22 take him on cross, right?

23 MR. PEREZ: Yes.

24 MR. MAGLIOLO: Did you have any questions?

04:21:00

25 MR. FAZEL: Oh, yeah. I have a few.

1 MR. MAGLIOLO: Your Honor, I have another  
2 witness, just like this witness, that would be about that  
3 long.

04:21:10

4 THE COURT: Yeah. Sure. If you want to get the  
5 witness on rather than have somebody hang around here.

6 MR. PEREZ: Please, Your Honor.

7 MR. MAGLIOLO: If we could.

8 THE COURT: Call your next witness.

9 MR. MAGLIOLO: Ramon Flores, Jr., Your Honor.

04:21:20

10 THE COURT: Ramon Flores.

11 MR. MAGLIOLO: It shouldn't be any longer than  
12 that past witness.

13 THE COURT: Raise your right hand to be sworn,  
14 please.

04:21:47

15 THE WITNESS: (Complying.)

16 (Witness sworn by the case manager.)

17 THE COURT: Thank you. You may have a seat.

18 THE WITNESS: Excuse me.

19 MR. MAGLIOLO: May I proceed, Your Honor?

04:22:03

20 THE COURT: Yes.

21 **RAMON FLORES, JR.,**

22 having been first duly sworn, testified as follows:

23 **DIRECT EXAMINATION**

24 BY MR. MAGLIOLO:

04:22:05

25 **Q.** Please state your name for the ladies and gentlemen of

1 the jury.

2 **A.** Ramon Flores, Jr.

3 **Q.** I'm going to direct your attention to a property that  
4 would be a trailer at 403 Elsbeth, which pertains to  
5 Count 3 in this case. Do you know anything about a  
6 trailer at 403 Elsbeth?

7 **A.** Yes, sir. I used to own that trailer.

8 **Q.** What would be the full address of that 403 Elsbeth?  
9 It's located where?

10 **A.** I believe it's 403 Elsbeth B in Channelview.

11 **Q.** And I'm going to show you --

12 MR. MAGLIOLO: If you'll put P-50 up.

13 **Q.** (By Mr. Magliolo) P-50 and I will ask if you  
14 recognize it?

15 **A.** Yes, sir.

16 **Q.** Would that be the trailer kind of somewhat -- in kind  
17 of in the center, maybe a little bit right in that  
18 picture?

19 **A.** Yes, sir. It would be on the right.

20 **Q.** How did you come into the ownership of that trailer?

21 **A.** My dad financed that trailer for me.

22 **Q.** Do you know David Garcia?

23 **A.** Yes, sir.

24 **Q.** And did you have a dealing with David Garcia's family  
25 about that trailer?

1 **A.** Yes, sir.

2 **Q.** Who did you deal with as far as the sale of that  
3 trailer?

4 **A.** That would be David's mom, Ms. Garcia.

04:23:19

5 **Q.** That would be some folks call her Tencha?

6 **A.** Yes, sir.

7 **Q.** And would this have been about May 20th, 2009, that  
8 the transaction took place?

9 **A.** Yes, sir.

04:23:35

10 THE COURT: What year, please?

11 MR. MAGLIOLO: 2009.

12 THE COURT: 2009.

13 **Q.** (By Mr. Magliolo) Even though you dealt with  
14 Ms. Tencha, is it your understanding that the house -- the  
15 trailer was put in David's name or if you know?

04:23:47

16 **A.** I'm not sure whose name it was going to be put under.

17 **Q.** Was there an actual closing on the house on the  
18 trailer where people attended and some paperwork was  
19 transpired?

04:24:05

20 **A.** I'm not sure who went, but my father went to the title  
21 company himself. I'm not sure who was present there.

22 **Q.** Okay. Do you recall if anything took place at  
23 Tencha's house on Dell Dale, if you know?

24 **A.** Regarding what? The trailer or the --

04:24:25

25 **Q.** The trailer.



1 A. No, sir. I don't think so.

2 Q. Do you know how much -- well, never mind. Was the  
3 deal on the trailer -- was there a mortgage on the  
4 trailer?

04:24:47

5 A. Yes, sir.

6 Q. And was the deal with the Garcia family that they  
7 would pay off the mortgage?

8 A. Correct.

04:25:02

9 Q. And was there any cash money upfront besides taking  
10 over the mortgage?

11 A. No, sir.

12 Q. Was the house also sold there?

13 A. Yes, sir. I sold the property to her, the house.

04:25:13

14 Q. And was that also owner-financed, or did they pay in  
15 cash for the house?

16 A. No. Paid in cash for the house.

17 Q. Do you recall how much they paid in cash for the  
18 house?

19 A. Maybe about \$60,000.

04:25:21

20 Q. And who did you deal with on the house deal?

21 A. Ms. Garcia.

22 Q. Now, did you ever get a call from someone regarding  
23 transferring the trailer title to David, if you recall?

24 A. No. I believe they called my dad at his house.

04:25:51

25 Q. Well, did your dad get a call then from anyone

1 regarding transferring the trailer title to David, if you  
2 know?

3 **A.** All I know is he got a phone call letting him know.

4 MR. FAZEL: Objection, Your Honor. Asks for  
5 hearsay.

6 THE COURT: That's sustained.

7 MR. MAGLIOLO: Well, the question was: Did he  
8 get a call?

9 THE COURT: All right. True. Overruled. Yes or  
10 no, did you get a call?

11 THE WITNESS: I didn't. My father did.

12 THE COURT: Okay.

13 **Q.** (By Mr. Magliolo) And do you know -- I may have  
14 already asked you. I apologize. Do you know if the  
15 trailer title was transferred to David, if you know?

16 **A.** I'm assuming it was, sir. They went to the title  
17 company.

18 MR. FAZEL: Objection, assuming, Your Honor.

19 THE COURT: Sustained. Do you know? Do you  
20 know, absolutely know?

21 THE WITNESS: No, I don't know.

22 THE COURT: Okay.

23 **Q.** (By Mr. Magliolo) Did you drive your dad to the  
24 trailer closing?

25 **A.** No.

1 Q. No?

2 A. No.

3 MR. MAGLIOLO: Okay. If I may just have one  
4 second, Your Honor.

04:26:52

5 THE COURT: Yes.

6 MR. MAGLIOLO: That's all, Your Honor. We pass  
7 the witness.

8 MR. FAZEL: No questions, Your Honor.

9 THE COURT: Thank you, sir. You may step down.

04:27:04

10 You are excused. You are free to leave. Thank you.

11 MR. MAGLIOLO: Thank you for accommodating us,  
12 Your Honor.

13 THE COURT: Call your next witness or return the  
14 other witness, please.

04:27:28

15 (addressing witness) Come on. Retake the stand.

16 MR. FAZEL: May I proceed, Your Honor?

17 THE COURT: Yeah. Go on.

18 MR. FAZEL: Thank you, Your Honor.

19 **JUAN CARLOS MUNOZ,**

20 having been previously duly sworn, testified through the  
21 interpreter as follows:

22 **CROSS-EXAMINATION**

23 BY MR. FAZEL:

24 Q. Mr. Munoz, you and I have never met before, have we,  
25 sir?

04:28:11

1 **A.** Yes.

2 **Q.** Let's try this again. It kind of loses in  
3 translation. You and I have never met before; is that  
4 correct?

04:28:17

5 **A.** That's correct.

6 **Q.** Thank you. And, sir, you testified in the beginning  
7 of your testimony that you entered the United States on  
8 August 26th, 2007, correct?

9 **A.** Yes.

04:28:29

10 **Q.** And you remember that date specifically, correct?

11 **A.** Yes.

12 **Q.** All right. When you entered the United States, you  
13 entered coming in hopes of working with your  
14 brother-in-law, correct?

04:28:41

15 **A.** No.

16 **Q.** Did you not testify that you began to work with your  
17 brother-in-law right away?

18 **A.** Yes.

19 **Q.** So your plan was to come in the country and work with  
20 your brother-in-law; is that not correct?

04:28:52

21 **A.** No. (Speaking Spanish.)

22 **Q.** No. Just answer my question.

23 THE INTERPRETER: No.

24 THE COURT: Wait. Hold it now. Wait a second.

04:29:05

25 Let's start again.

1 MR. PEREZ: At least go back.

2 MR. FAZEL: Yes, Judge.

3 MR. PEREZ: He said, "No, but may I explain?"

4 And he said, "No." That never came out, Your Honor. The  
04:29:15 5 Court never heard that.

6 THE COURT: I don't know who heard what. I'm  
7 glad you heard something. We're going to -- the Judge  
8 says we're going to start this little chain again. Let's  
9 keep it clear. We're getting the business of "no" when it  
04:29:29 10 should be "yes." You phrased it as best you could. You  
11 said "is that not correct."

12 MR. FAZEL: Okay, Your Honor. I'll rephrase.

13 THE COURT: We have a bunch of double negatives  
14 in there. Let's try it again.

04:29:39 15 MR. FAZEL: Yes, sir.

16 **Q.** (By Mr. Fazel) Let me start it this way. When you  
17 entered the country, you began to work with your  
18 brother-in-law; is that correct?

19 **A.** Yes.

04:29:50 20 **Q.** You also worked at some pipe company, I believe; is  
21 that correct?

22 **A.** Yes.

23 **Q.** Your brother-in-law was already working at Las Palmas;  
24 is that correct?

04:30:01 25 **A.** Yes.

1 Q. Therefore, he entered the country before you entered  
2 the country; is that correct?

3 A. Yes.

4 Q. When you entered the country in 2007, correct?

04:30:13

5 A. Yes.

6 Q. Therefore, your brother-in-law entered the country  
7 before 2007, correct?

8 A. Yes.

9 Q. Your brother-in-law just testified earlier, right  
10 before you, correct?

04:30:24

11 A. Yes.

12 Q. During the break did you have an opportunity to speak  
13 with him?

14 A. No.

04:30:33

15 Q. Now, did you have an opportunity to speak to the  
16 prosecutor and the folks at that table before your  
17 testimony today?

18 A. Yes.

19 Q. You are here illegally, correct?

04:30:49

20 A. No. Not now, no.

21 Q. That's my point. Right now you have documents to live  
22 here, correct?

23 A. Yes.

24 Q. And who gave you those documents?

04:31:01

25 A. The detective.

1 Q. The detective gave you those documents. And those  
2 documents include documents to help you work in this  
3 country, correct?

4 A. Yes.

04:31:09

5 Q. And who gave you that document to work in the country?

6 THE COURT: Slow down, please.

7 MR. FAZEL: Yes, Your Honor.

8 A. The detective.

04:31:19

9 Q. (By Mr. Fazel) The detective. Did you have those  
10 documents before you started working with the detective?

11 A. No.

12 Q. On top of that, those two documents, has the detective  
13 given you anything else?

14 A. Yes.

04:31:33

15 Q. Has he given you money?

16 A. Yes.

17 Q. How much money has he given you?

18 A. \$4,000.

04:31:49

19 Q. And he gave you the \$4,000 because you are helping  
20 him, correct?

21 A. Yes.

22 Q. Where are you working now?

23 A. At a company, a pipe company.

04:32:04

24 Q. And this is the same company you were working at  
25 before?

1 **A.** No.

2 **Q.** It's a different company?

3 **A.** Yes.

4 **Q.** Before you came and worked with your brother-in-law,  
5 how long had your brother-in-law worked there before you  
6 got there?

7 **A.** About six months.

8 **Q.** Is that the only benefit you have received as far as  
9 what we have just described, money, work permit,  
10 permission to stay in this country, anything else?

11 **A.** No.

12 **Q.** No?

13 MR. FAZEL: Judge, may we approach briefly?

14 THE COURT: Yeah. Come on up.

15 (Proceedings held at sidebar.)

16 MR. FAZEL: Judge, I would like to question him  
17 about a pending charge in Harris County regarding a DWI.

18 MR. MAGLIOLO: Judge, how does he get that in?

19 MR. FAZEL: As I said, Judge, it is just further  
20 incentive because he is documented, pursuant to them, and  
21 that they gave him permission to work here in the United  
22 States. And, generally speaking, something like that, a  
23 DWI would be, you know, noted by ICE, detained and  
24 possibly even deported.

25 MR. MAGLIOLO: That's incorrect, Your Honor.



1 If it is, we should do it -- if the Court wants us to do  
2 it, we should do it outside the presence of the jury so  
3 the jury won't be exposed to something that's going to  
4 contaminate them.

04:33:40

5 THE COURT: I don't think it's inadmissible.  
6 Overrule your objection. Go on. Ask the question. Let's  
7 go.

8 (Proceedings concluded at sidebar.)

04:33:58

9 **Q.** (By Mr. Fazel) Sir, isn't it true that you've  
10 obtained and been arrested for a DWI in Harris County,  
11 Texas?

12 **A.** Yes.

13 **Q.** And you are still in this country and not deported?

14 **A.** Yes.

04:34:11

15 **Q.** All right. Now, let's talk about your testimony. Do  
16 you remember talking about three individuals that they  
17 showed you the pictures up there?

18 MR. FAZEL: Judge, I'm going to approach and grab  
19 the -- perfect. Thank you. Thank you.

04:34:45

20 **Q.** (By Mr. Fazel) Do you remember talking about El  
21 Pantera?

22 **A.** Yes.

23 **Q.** His name is right under this, his picture. You claim  
24 you recognize him, correct?

04:34:55

25 **A.** Yes.

1 Q. Okay. You said that he had a girl working there,  
2 correct? At Las Palmas, he had a girl working there?

3 A. Yes.

4 Q. He had one girl working there, correct?

04:35:06

5 A. Yes.

6 Q. And that's the girl he lived with, correct?

7 A. Yes.

8 Q. All right. Let's talk about Alberto Mendez-Flores.

9 Do you remember talking about him? He is the third

04:35:18

10 picture.

11 A. Yes.

12 Q. His name is right underneath it. Do you see him?

13 A. Yes.

14 Q. You said he had a girl working there, correct? He had

04:35:29

15 one girl working there, correct?

16 A. Yes.

17 Q. He was living with him -- he was living with her,  
18 excuse me; is that correct?

19 A. Yes.

04:35:35

20 Q. Do you remember talking about Jorge Teloxa-Barbosa?

21 A. Yes.

22 Q. Do you remember saying that he had a girl working  
23 there?

24 A. Yes.

04:35:46

25 Q. He also lived with her, as well, correct?

1 A. Yes.

2 Q. So all these people had their girlfriends working  
3 there; is that correct?

4 A. Yes.

04:35:57

5 Q. But the other pimps had multiple girls, correct?

6 A. I'm not sure about that.

7 Q. Okay. Well, let's talk about that. You are not  
8 saying that Ms. -- who you call -- Tencha is a pimp, are  
9 you?

04:36:26

10 A. Can you repeat the question?

11 Q. The lady that's sitting right here, she is not a pimp,  
12 is she?

13 A. No.

14 Q. She doesn't transport women from Mexico to the United  
15 States, does she?

04:36:39

16 A. Not that I know.

17 Q. And you work for her, correct?

18 A. Yes.

19 Q. Now, do you remember meeting with the detective that  
20 gave you all the papers to live here and work here?

04:36:57

21 A. Yes.

22 Q. Okay. Do you remember how you took notes?

23 A. Who took notes? How?

24 Q. Do you remember when you met with him he would write  
25 things down that you were saying, right?

04:37:18

1 **A.** Yes.

2 **Q.** Well, do you remember testifying about, oh, all these  
3 minors that were there? Do you remember that?

4 **A.** Yes.

04:37:32

5 **Q.** This is the part I'm confused about. Help me with  
6 this. Do you remember meeting with him on 8-16-2012?

7 **A.** No.

04:38:06

8 **Q.** Do you remember ever telling him that you heard the  
9 woman you call Tencha tell Juan about the girls that a  
10 customer was complaining about that are minors and forced  
11 into prostitution?

12 **MR. PEREZ:** Objection, Your Honor. All that is  
13 hearsay, Your Honor. It's the same. That is not his,  
14 Your Honor.

04:38:16

15 **THE COURT:** All right. What is your -- yeah,  
16 I've got you. What is the response? How do you get that  
17 in?

04:38:25

18 **MR. FAZEL:** Your Honor, I'm not offering it for  
19 the truth of the matter. I'm just offering it for the  
20 fact that he did convey this to the detective.

21 **THE COURT:** Sustain the objection.

22 **Q.** (By Mr. Fazel) Do you remember Tencha saying that she  
23 did not want to get in trouble like Nancy and go to jail?  
24 Do you remember her saying that?

04:38:42

25 **A.** No. No.

1 Q. Do you remember her saying that she was scared and  
2 wanted Juan to check the identification of those girls who  
3 looked young?

4 A. No.

04:38:53

5 Q. Do you remember saying Juan checked the identification  
6 of four of the females working at LP-2, Las Palmas 2?

7 A. No.

8 Q. Do you remember you then telling the detective that  
9 all of them looked like they were over the age of 18?

04:39:11

10 MR. PEREZ: Your Honor -- again, Your Honor, this  
11 is all hearsay and assuming facts not in evidence, Your  
12 Honor.

13 THE COURT: Sustained.

04:39:17

14 MR. PEREZ: I would ask the jury to be instructed  
15 to disregard all this line of questioning.

16 THE COURT: I'm not going to ask them to  
17 disregard it. From now on I'm going to sustain those  
18 objections.

04:39:26

19 Q. (By Mr. Fazel) Do you remember the woman he called  
20 Tencha ever telling anybody at the bar while you were  
21 present that she would pay for any woman to go back to  
22 Mexico if they were forced into prostitution? Do you  
23 remember telling the detective that?

24 A. I didn't understand the question.

04:39:46

25 THE COURT: Okay. Now hold it. Now that's very

1 clear. Let's see if he ever heard it because that's  
2 something we'll see if there is any basis whatsoever.  
3 Don't take it that -- I'm not jumping on attorneys for  
4 either side.

04:39:58

5 I'm now going to ask that the question be read back to  
6 be specific and right to the point on what Mr. Perez has  
7 been objecting about. Go on.

8 (Question read by the court reporter.)

9 **A.** No.

04:40:28

10 THE COURT: All right. Mr. Perez, what?

11 MR. PEREZ: It's already been asked and answered.

12 THE COURT: No. Make your objection.

13 MR. PEREZ: Objection, Your Honor. That's not --  
14 he is cross-examining him on a statement allegedly made,  
15 and he has not adopted that statement. It's hearsay.

04:40:41

16 THE COURT: That's correct. Keep in mind you  
17 heard a question that was pretty direct, and he said he  
18 never heard that. So we'll see if there is any testimony  
19 showing up as to that, keeping in mind all the time that a  
20 defendant is never under any obligation to testify or to  
21 bring forth any evidence but it was a do you know and did  
22 you hear. He said he never heard it.

04:40:58

23 **Q.** (By Mr. Fazel) You remember meeting with a detective,  
24 correct?

04:41:16

25 MR. PEREZ: He has been asked and answered that

1 question.

2 THE COURT: Overruled. Now he is entitled to  
3 follow it up.

04:41:22

4 Q. (By Mr. Fazel) You do remember meeting with Ed,  
5 correct, the detective sitting right behind Mr. Perez?

6 A. Yes.

7 Q. You do remember handing him recordings, correct?

8 A. Yes.

04:41:33

9 Q. You do remember telling him things about what you  
10 heard at the bar, correct?

11 A. Yes.

12 Q. And you remember him taking those notes down when you  
13 spoke to him, correct?

14 A. Yes.

04:42:02

15 Q. Do you remember the transcript where you claim a lady  
16 called Tencha was laughing?

17 THE COURT: Was what?

18 MR. FAZEL: Laughing. Giggling.

19 A. Yes.

04:42:11

20 Q. (By Mr. Fazel) Have you heard that recording?

21 A. Yes.

22 Q. Have you heard it recently?

23 A. Yes.

24 Q. Let's play it for the jury since it's in evidence.

04:42:23

25 THE COURT: What is the exhibit number, please?

1 MR. FAZEL: 3a, Your Honor.

2 THE COURT: 3a?

3 MR. FAZEL: Yes, sir. Your Honor, I'm going to  
4 play a portion of it where he testified to this  
04:42:41 5 occurrence.

6 Q. (By Mr. Fazel) This occurrence. What is this  
7 occurrence in this tape?

8 MR. FAZEL: June 3rd, 2012, Your Honor.

9 THE COURT: Okay.

04:42:59 10 MR. PEREZ: Your Honor, for the record, it's A-3,  
11 not 3a.

12 THE COURT: Pardon me?

13 MR. PEREZ: For the record, the recording he is  
14 about to play is A-3, not 3a.

04:43:08 15 THE COURT: Okay. Thank you.

16 (Exhibit A-3 played for the jury.)

17 Q. (By Mr. Fazel) What was the laughter?

18 A. You stopped the recording.

19 Q. I'll play it.

04:44:43 20 (Exhibit A-3 played for the jury.)

21 A. The recording is not complete.

22 Q. (By Mr. Fazel) Well, I'll represent to you that's the  
23 recording we have. I'll let the government play the whole  
24 thing because they have the DVD.

04:44:52 25 MR. PEREZ: Just keep playing it.



1 MR. FAZEL: I am. It's not playing it out loud.

2 THE COURT: What's not playing?

3 MR. FAZEL: It's just not playing on my  
4 recording.

04:45:02 5 THE COURT: Does it go on longer than that?

6 MR. PEREZ: That's what he says. Yes, Your  
7 Honor.

8 MR. FAZEL: Bring the DVD.

9 MR. MAGLIOLO: The transcript is in the record  
04:45:10 10 and shows laughter, an unobjected transcript.

11 MR. FAZEL: That's true. I want to show how the  
12 transcript is inaccurate.

13 THE COURT: There was no laughter? That's your  
14 position?

04:45:20 15 MR. FAZEL: That's my position. The jury can  
16 listen to it.

17 THE COURT: All right. Hold it. We're going to  
18 listen to all of it, if we can, up to a point, of course.

19 MR. FAZEL: Yes, sir.

04:45:33 20 **Q.** (By Mr. Fazel) As a matter of fact, you are the one  
21 that asked the question three times? Hospital, hospital,  
22 hospital, right?

23 **A.** Yes.

24 **Q.** And you are the one that's laughing?

04:45:46 25 **A.** Yes.

1 Q. Okay. During your time at Las Palmas 2, did you ever  
2 have occasion -- was there ever an occasion that there  
3 were girls locked up on the second floor?

4 A. During the time I was there, no.

04:46:19

5 Q. As far as the rules and regulations of Las Palmas 2,  
6 let's talk about that. You said that these girls had to  
7 be there a certain time or date, correct?

8 A. Yes.

04:46:40

9 Q. Now, the girls had to be there at a certain time or  
10 date if they wanted to work at Las Palmas 2, correct?

11 A. Yes.

12 Q. But their pimps decided where they worked, correct?

13 A. Yes.

04:46:57

14 Q. So they could go work -- they did work wherever their  
15 pimp told them to work, correct?

16 A. Yes.

17 Q. So the rules that you are referring to are the rules  
18 that if the girls wanted to work at Las Palmas 2 they had  
19 to follow certain rules, correct?

04:47:11

20 A. Yes.

21 Q. The pimps could not be on the site, correct?

22 A. At the beginning, yes, they could be at the site.

23 Q. And then the lady you called Tencha said no more. I  
24 have had enough. They can't be there anymore, correct?

04:47:29

25 A. Yes. May I explain why?

1 Q. No. You can just answer my question.

2 A. Okay.

3 Q. Thank you. He will ask you a question. For whatever  
4 reason, she got sick of them and said no more, correct?

04:47:43

5 MR. MAGLIOLO: Objection to the form of the  
6 question. In the preceding question and this question he  
7 said she got sick of them. That's not a question.

8 MR. FAZEL: Your Honor, may I ask one question?  
9 If Mr. Perez is having the witness, how is it that

04:47:55

10 Mr. Magliolo is objecting?

11 THE COURT: That's true.

12 MR. FAZEL: May I proceed, Your Honor?

13 THE COURT: Yes.

04:48:07

14 Q. (By Mr. Fazel) The other rules that we're talking  
15 about, the rules about the rooms and the money, do you  
16 remember that?

17 A. Yes.

18 Q. Those are rules for the girls who wanted to work  
19 there, correct?

04:48:17

20 A. Yes.

21 Q. The lady you called Tencha never forced these girls to  
22 work there, correct?

23 A. Yes.

24 Q. That's correct, correct?

04:48:31

25 A. That's correct.

1 Q. It's correct? Now, you are testifying today with,  
2 also, a deal where the government is not charging you with  
3 any crimes, correct?

04:48:51

4 A. The detective told me I wouldn't be accused of a  
5 crime.

6 Q. And you have a lawyer that you talked to before  
7 testifying, correct?

8 A. Yes.

9 Q. He is sitting right there, correct?

04:48:58

10 A. Yes.

11 Q. All right. So the additional thing or benefit that  
12 you received is that you are not charged with a crime; is  
13 that correct?

14 A. Yes.

04:49:08

15 Q. When you are talking about the lights that we talked  
16 about earlier, that you and the prosecutor talked about  
17 that came on, do you remember that?

18 A. Yes.

04:49:21

19 Q. Those lights were to alert HPD, Houston Police  
20 Department, was making the scene, correct?

21 A. Yes.

22 Q. Because you didn't want -- you and nobody else wanted  
23 to be arrested for prostitution; is that correct?

24 A. Yes.

04:49:33

25 Q. You never -- you never trafficked women, did you?

1 **A.** Never.

2 **Q.** You just worked at a brothel, right?

3 **A.** Yes.

4 **Q.** And the lady you call Tencha is supposedly the owner  
04:50:02 5 of that brothel, correct?

6 **A.** Yes.

7 **Q.** The only trafficking that was done was done by the  
8 pimps, correct?

9 **MR. PEREZ:** Your Honor, that calls for a legal  
04:50:17 10 conclusion and a factual conclusion, Your Honor.

11 **THE COURT:** Sustained.

12 **Q.** (By Mr. Fazel) The pimps are the ones that  
13 transported the girls from other countries into this  
14 country, correct, if you know?

04:50:38 15 **A.** I don't know.

16 **Q.** Your brother-in-law knew what the activities of the  
17 place Las Palmas Dos -- Las Palmas 2 was before you  
18 started working there, right?

19 **MR. PEREZ:** Objection, Your Honor. Calls for  
04:51:01 20 speculation on the part of this witness as to what his  
21 brother-in-law knew or did not know, Your Honor.

22 **THE COURT:** All right. Sustained.

23 **Q.** (By Mr. Fazel) Did you have a conversation with your  
24 brother-in-law before you started working there?

04:51:11 25 **A.** No.

1 Q. When you started working there the first day, did you  
2 realize that it was a location where prostitution  
3 occurred?

4 A. Yes.

04:51:24

5 Q. And you continued to work there, correct?

6 A. Yes.

7 Q. Was it obvious?

8 A. Yes.

04:51:36

9 Q. So your brother-in-law, who was working there at least  
10 six months before you, was obviously aware of it, as well,  
11 correct?

12 A. Yes.

04:52:05

13 Q. Do you remember testifying about a conversation that  
14 was had between yourself, your brother-in-law and  
15 Ms. Medeles-Garcia about buying the location?

16 A. It wasn't purchase. It was rent.

17 Q. Where you and your brother-in-law would receive  
18 50 percent of it and Ms. Medeles-Garcia would receive  
19 50 percent of it, according to the conversation?

04:52:31

20 A. Yes.

21 Q. Did you tell that detective that?

22 A. Yes. It's in the recording.

23 Q. Do you remember testifying about the sheets of paper  
24 that you said that the detective ran off for you so you  
25 had them so you could write one copy for yourself and one

04:53:11

1 copy for the detective? Do you remember that?

2 **A.** Yes.

3 **Q.** Do you remember testifying that you started working  
4 right away? As soon as you decided to work for the  
04:53:25 5 detective you decided to help out with those documents,  
6 those sheets of paper?

7 **A.** Yes.

8 **Q.** So in the beginning were you just memorizing the  
9 numbers before he ran those off for you?

04:53:43 10 **A.** Could you repeat the question?

11 **Q.** In the beginning, before he ran off those papers for  
12 you, those sheets of paper, were you just memorizing the  
13 numbers and giving it to the detective?

14 **A.** No. I made copies at Home Depot.

04:54:01 15 **Q.** So when you made copies at Home Depot, you would  
16 always have one copy for yourself and one copy for the  
17 detective?

18 **A.** Yes.

19 **Q.** Let's talk about how this worked.

04:54:09 20 **A.** (Speaking Spanish.)

21 **Q.** Did the detective tell you --

22 MR. PEREZ: Your Honor, he is trying to explain  
23 his answer, Your Honor.

24 THE COURT: All right. Let him explain.

04:54:22 25 **A.** I didn't keep a copy of what I wrote. I'd give it to

1 the detective. I only made copies at Home Depot the first  
2 week that I began to see him, and the next week he made  
3 the copies.

04:54:42

4 **Q.** (By Mr. Fazel) Okay. The way this system worked was  
5 the detective allowed you to go back into Las Palmas and  
6 continue to work, correct?

7 **A.** Yes.

8 **Q.** You were still receiving your salary, correct?

9 **A.** Yes.

04:54:52

10 **Q.** You are now getting money from the government,  
11 correct?

12 **A.** Not now.

13 **Q.** Once you started working for them, you were receiving  
14 your salary, correct?

04:55:06

15 **A.** From whom?

16 **Q.** Good question. You were receiving your salary for  
17 working at Las Palmas 2, correct?

18 **A.** Yes.

04:55:17

19 **Q.** And you were also getting money from the detective,  
20 correct?

21 **A.** No.

22 **Q.** Just paid a lump sum at the end?

23 **A.** No.

24 **Q.** Did he pay you after the case was indicted?

04:55:31

25 **A.** After a year, he gave me \$2,000.



1 Q. So that the \$2,000 was based on your performance?

2 A. I imagine so.

3 Q. So it's like incentive pay?

04:55:50

4 MR. PEREZ: Objection, Your Honor. Calls for a  
5 conclusion on the part of this witness, Your Honor.

6 THE COURT: Rephrase it.

7 MR. FAZEL: I'll move on, Your Honor.

8 THE COURT: Okay.

04:55:57

9 Q. (By Mr. Fazel) Other than this pay that you received  
10 from the detective, you also were getting -- you were  
11 continuing to get your salary from the detective, correct?

04:56:12

12 MR. PEREZ: Objection, Your Honor. Calls for an  
13 assumption of facts not in evidence. There has never been  
14 any testimony he is receiving any kind of salary from this  
15 detective.

16 MR. FAZEL: I didn't say the detective.

17 MR. CHAPUSEAUX: Yes, you did.

18 MR. FAZEL: I'll rephrase the question.

19 MR. PEREZ: He did say "detective," Your Honor.

04:56:19

20 MR. FAZEL: I'm sorry. It's late in the  
21 afternoon, Your Honor. I apologize.

22 Q. (By Mr. Fazel) You were continuing to get your salary  
23 from Las Palmas 2, correct?

24 A. Yes.

04:56:26

25 Q. We know this because you provided an envelope to the

1 detective with your name on it, correct?

2 **A.** Yes.

3 **Q.** And that was to represent to the detective that you  
4 were getting paid at Las Palmas 2, correct?

04:56:41

5 **A.** Yes.

6 **Q.** Okay. The detective would then tell you to go record  
7 conversations, correct?

8 **A.** Yes.

9 **Q.** And then you decided when to turn on the recorder?

04:56:57

10 **A.** Yes.

11 **Q.** When to turn it off?

12 **A.** Yes.

13 **Q.** What conversations to record?

14 **A.** May I explain?

04:57:09

15 **Q.** You can explain when the prosecutor takes you on  
16 redirect, sir. Did you not decide what conversations to  
17 record?

18 **A.** Yes.

19 **Q.** What conversations not to record?

04:57:22

20 **A.** No.

21 **Q.** Who was in the bar with you telling you what to do?

22 **A.** Repeat. Can you repeat?

23 **Q.** Who was in the bar instructing you what to record and  
24 what not to record?

04:57:41

25 **A.** No one.

1 Q. So you had the final decision as to what to record and  
2 what not to record?

3 A. Yes.

04:57:53

4 Q. You had the final decision as to when to hit the stop  
5 record button and when to hit the start record button?

6 A. No.

7 Q. Other than you, was there a law enforcement officer in  
8 the bar that instructed you as to what to do and what not  
9 to do?

04:58:12

10 A. No.

11 Q. Do you have family in this country, sir?

12 A. Yes.

13 Q. Could you tell us who that is?

04:58:29

14 MR. PEREZ: Objection as to the relevance of this  
15 proceeding.

16 THE COURT: Why is it relevant?

17 MR. FAZEL: It goes to benefits, Your Honor.

18 THE COURT: What?

19 MR. FAZEL: It goes to benefits, Your Honor.

04:58:36

20 MR. PEREZ: There is nothing to indicate any  
21 benefits to family members, Your Honor.

22 THE COURT: As far as what?

23 MR. PEREZ: There is nothing to indicate there  
24 have been any benefits to any family members, Your Honor.

04:58:44

25 I think that's being used as harassment because of safety

1 issues, Your Honor.

2 MR. FAZEL: I'm sorry.

3 THE COURT: State the question one more time.

4 Don't answer. Let me listen to it, if you can rephrase

04:58:55

5 it.

6 MR. FAZEL: Yes, sir.

7 **Q.** (By Mr. Fazel) Do you have family members in this  
8 country?

9 MR. PEREZ: That's my objection, Your Honor.

04:59:03

10 It's irrelevant to this proceeding, Your Honor.

11 THE COURT: What's irrelevant?

12 MR. FAZEL: Your Honor, they are also  
13 undocumented; and the government is aware of it. That's a  
14 benefit.

04:59:17

15 THE COURT: I'll overrule the objection as to  
16 that one question.

17 **Q.** (By Mr. Fazel) I don't want to know where they live.  
18 I don't want to know their names.

19 THE COURT: Just ask.

04:59:27

20 MR. FAZEL: I'm asking.

21 **Q.** (By Mr. Fazel) You do have family here in this  
22 country, correct?

23 **A.** Yes.

24 **Q.** And they are undocumented, correct?

04:59:34

25 **A.** Not all of them.

1 THE COURT: All right. Move on.

2 MR. FAZEL: I'll move on. May I have a moment,  
3 Your Honor?

4 THE COURT: Yeah.

05:00:27 5 Q. (By Mr. Fazel) When you spoke to your lawyer before  
6 testifying today, I'm sure he informed you that the sex  
7 trafficking count is a zero to life count, correct?

8 A. Yes.

9 Q. You are not charged with that, are you?

05:00:46 10 A. No.

11 Q. I'm sure he informed you the money laundering counts  
12 are zero to 20 counts, correct?

13 A. I don't remember well what I spoke with the attorney.  
14 He just recommended to me to be very careful, to think  
05:01:11 15 about what I was going to say because it could harm me.

16 Q. Because you could get charged with the same crime that  
17 Ms. Tencha is?

18 A. Yes.

19 Q. But the government promised you they wouldn't do that?

05:01:27 20 A. The detective did.

21 MR. FAZEL: I pass the witness.

22 **REDIRECT EXAMINATION**

23 BY MR. PEREZ:

24 Q. Sir, you mentioned the recording and under -- the  
05:01:34 25 circumstances under which you could make these recordings

1 and you tried to explain your answer and now you can  
2 explain your answer.

3 MR. FAZEL: Object, Your Honor. Can we have it  
4 question and answer for me?

05:01:46 5 THE COURT: Hold on. Say it again. Okay.  
6 Question and answer, please.

7 MR. PEREZ: With all respect to the Court, Your  
8 Honor, he tried to explain the answer. He said, "Wait  
9 until your attorney gets you. Then you can explain it."  
05:01:55 10 I'm asking him to explain it.

11 THE COURT: Okay. I've got you. Ask it now.

12 **Q.** (By Mr. Perez) Explain your answer that you tried to  
13 explain before you were interrupted by Mr. Fazel.

14 **A.** As regards to the recording, that recording is not  
05:02:12 15 complete. This recording lasts minutes.

16 I have something else. That this recording was  
17 translated into English. I don't think that the  
18 translation into English would show any lies about who  
19 laughed.

05:02:34 20 **Q.** We'll get to that recording. My question is this: He  
21 asked you that when you were at Las Palmas you could  
22 decide when to record, when not to record and was an agent  
23 with you when you did the recording and you said, "Can I  
24 explain?" And he said I would ask you. This is the  
05:02:50 25 explanation. This is your opportunity to explain this.

1 **A.** Okay. I was recording with my cell phone.

2 MR. FAZEL: We object. Excuse me, sir. I'm  
3 going to object to the question. Calls for a narrative  
4 response.

05:03:05

5 THE COURT: Overruled.

6 **Q.** (By Mr. Perez) Go ahead, sir. You can answer.

7 **A.** I was recording with my cell phone. I didn't know  
8 what time she was going to arrive. She went to pick up  
9 money with me. I had to look for a way for a second in

05:03:26

10 which I could set my phone to record without her realizing  
11 it. Then, when she left, I would put a stop.

12 **Q.** Okay. He also asked you when you arrived whether your  
13 brother-in-law had made arrangements for you to work at  
14 Las Palmas; and you kept saying, no, he didn't. And you  
15 kept getting interrupted. Now is your opportunity to  
16 explain your answer on that question.

05:03:50

17 **A.** Yes, because I -- no, because I arrived -- didn't  
18 arrive exactly to work at the bar. Three hours after I  
19 had arrived, he called me at my uncle's house. He asked  
20 me, "Do you want to work?"

05:04:19

21 I said, "That's why I came."

22 "Tell your uncle to bring you to the bar so you can  
23 start working here."

24 I arrived. The bar was full of people. He was

05:04:33

25 telling me --

1 THE COURT: Slow down a little bit.

2 Q. (By Mr. Perez) Slow down.

3 A. And so he just told me just go and pick up bottles.  
4 That's it.

05:04:44 5 Q. Did you see -- and then later did you see Tencha?

6 A. Two hours later Ms. Tencha arrived and she looked at  
7 me and she asked me if I was older than 18. I told her  
8 yes. Then go ahead and keep on picking up bottles.

9 MR. PEREZ: Your Honor, for the record, the  
05:05:12 10 recording that Mr. Ali played was A-3a; and the recording  
11 where Tencha chuckles or laughs is recording A-1a. We had  
12 stipulated to the introduction of those transcripts which  
13 reflects where she laughs.

14 Now, we can play that recording again to where they  
05:05:34 15 can hear where she laughs in the recording A-1a; or we can  
16 stipulate that the transcript that was introduced into  
17 evidence where it reflects where she laughed is not A-3a,  
18 as he told the members of the jury, but in fact it's A-1a,  
19 Your Honor.

05:05:52 20 So I'm asking do we need to make arrangements to play  
21 A-1a?

22 MR. FAZEL: Your Honor, I played for the jury the  
23 discussion about somebody being in the hospital and the  
24 witness claimed --

05:06:02 25 THE COURT: All right. We're going to take a



1 short break. All right. We're going to take a short  
2 break. You work it out during the break. We'll see you  
3 back in ten minutes.

4 THE MARSHAL: All rise for the jury.

05:06:15 5 (Jury exited the courtroom at 5:06 p.m.)

6 (Recess from 5:06 p.m. to 5:19 p.m.)

7 THE COURT: Let's get on the record for a minute.  
8 What have you decided on that recording business?

9 MR. FAZEL: Your Honor, it appears that we were  
05:19:28 10 both right; and we were both wrong. It's the government's  
11 position that on cross-examination the witness did say  
12 that the recording that I played that the defendant  
13 laughed. They claim on direct examination they were  
14 talking about a different set of circumstances where the  
05:19:48 15 defendant giggled. To make it simple, I don't know how  
16 the Court wants to handle it; but I think what -- I don't  
17 know where Mr. Perez is.

18 MR. MAGLIOLO: He is coming back.

19 THE COURT: Tell the jury we're in here. We'll  
05:20:04 20 be with them in just about two minutes.

21 MR. PEREZ: Your Honor, we used our break to come  
22 up with a stipulation.

23 THE COURT: Okay.

24 MR. PEREZ: We agreed that in A-3 on  
05:20:15 25 cross-examination he said that she laughed but there is

1 nothing in the transcript that she did but in A-1a there  
2 is a chuckle after the woman testified about her asking  
3 for vacation for having been beat up. And we'll stipulate  
4 to that.

05:20:29

5 THE COURT: Okay. Then dictate it. You state it  
6 to the jury.

7 MR. PEREZ: Okay. I will, Your Honor.

8 THE COURT: Let's call the jury in, please.

9 (Jury entered courtroom at 5:20 p.m.)

05:21:05

10 THE COURT: All right. Have a seat. We have  
11 been working on it. We have got an agreement, a  
12 stipulation as to what both parties agree the record would  
13 reflect. So somebody dictate in what the stipulation --  
14 the agreement between the government and the defense,  
15 please.

05:21:20

16 MR. PEREZ: A-3a, page three, Your Honor, the  
17 United States and the defense attorney stipulate that on  
18 page three on cross-examination this witness testified  
19 that Tencha laughed; and there is no -- in the translation  
20 there is no evidence that she, in fact, laughed at that  
21 time.

05:21:59

22 Now, we also stipulated that in Government Exhibit  
23 Number A-1a, page four, that in that translation the  
24 defendant did laugh or chuckle after it was brought up  
25 that one of the girls had been beaten up by her pimp.

05:22:26

1 THE COURT: All right. So noted. So stipulated.  
2 Keep moving now. Next question.

3 MR. PEREZ: I don't think you have anymore  
4 questions.

05:22:40

5 MR. FAZEL: It was your witness, sir.

6 MR. PEREZ: I have no further questions.

7 THE COURT: Okay. Thank you, sir. You may step  
8 down. You are excused. You are free to leave.

9 MR. PEREZ: Thank you, Your Honor.

05:22:48

10 THE COURT: Call your next witness.

11 MR. MAGLIOLO: We call Guadalupe Lugo, Your  
12 Honor.

13 THE COURT: Say that again.

05:22:59

14 MR. MAGLIOLO: Guadalupe Lugo. L-u-g-o is the  
15 spelling of the last name. Common spelling of Guadalupe,  
16 G-u-a-d-a-l-u-p-e.

17 THE COURT: Raise your right hand to be sworn,  
18 please.

19 THE WITNESS: (Complying.)

05:23:34

20 (Witness sworn by the case manager.)

21 THE INTERPRETER: Excuse me. Do you speak  
22 English, ma'am?

23 THE WITNESS: Yes, ma'am.

24 THE COURT: Okay.

05:23:39

25 THE INTERPRETER: That would be confusing.

1 THE COURT: You may have a seat.

2 THE WITNESS: (Complying.)

3 THE COURT: Go right ahead.

4 MR. MAGLIOLO: Thank you, Your Honor.

05:24:02

5 **GUADALUPE VALDEZ-LUGO,**  
6 having been first duly sworn, testified as follows:

7 **DIRECT EXAMINATION**

8 BY MR. MAGLIOLO:

05:24:07

9 **Q.** Please state your name for the ladies and gentlemen of  
10 the jury.

11 **A.** Guadalupe Valdez-Lugo.

12 THE COURT: Pull that microphone in a little to  
13 you. Pull it up. Open it. Pull it up. Okay. Go on.

14 **A.** Guadalupe Valdez-Lugo.

05:24:21

15 **Q.** (By Mr. Magliolo) And are you one of the folks that  
16 was charged in this case?

17 **A.** Yes, sir.

18 **Q.** And do you know the person who we have come to call as  
19 Tencha?

05:24:29

20 **A.** Yes, sir.

21 **Q.** Could you point at her and describe an article of her  
22 clothing so the court reporter can get it in her record?

23 **A.** Okay. She is right there, next to the gentleman, with  
24 the white hair; and I believe she is wearing black.

05:24:46

25 MR. MAGLIOLO: May the record reflect she has

1 identified the defendant, Your Honor?

2 THE COURT: The record will so reflect.

3 Q. (By Mr. Magliolo) Can we have P-1, please. Take a  
4 look at the board. I would ask you if you recognize that  
05:24:59 5 establishment, perhaps without the mural when you were  
6 there?

7 A. Yes, sir.

8 Q. What is that?

9 A. That is Las Palmas and it's a bar and it's got the  
05:25:21 10 trailer sitting up front where they've got a taqueria in  
11 there.

12 Q. At some point in time did you work there for  
13 Ms. Tencha?

14 A. Yes, sir.

05:25:33 15 Q. About when was that?

16 A. It was about November of 2011 until about I believe --  
17 I don't recall real good, but it was till about July of  
18 2012.

19 Q. And at some point in time you recognized that you were  
05:25:55 20 working for Ms. Tencha in a brothel?

21 A. Yes, sir.

22 Q. I'm going to direct your attention to some cashier's  
23 checks. At some point in time did the defendant, Tencha,  
24 ask you to purchase a cashier's check?

05:26:16 25 A. Yes, sir.

1 Q. Did she tell you what it was for?

2 A. Yes, sir. She said it was for a lawsuit that she had  
3 for a million dollars.

4 THE COURT: For what?

05:26:30

5 MR. MAGLIOLO: A lawsuit she had for a million  
6 dollars, Your Honor.

7 P-50, please.

8 THE COURT: Go on.

9 MR. MAGLIOLO: I'm sorry. C-50.

05:26:44

10 Q. (By Mr. Magliolo) I'm going to direct your attention  
11 to the screen with C-50. Do you recognize that?

12 A. It's got my name in there and I did purchase a  
13 cashier's check for \$9,000 but I never --

14 MR. FAZEL: Object to nonresponsive, Your Honor.

05:27:01

15 MR. MAGLIOLO: The question is do you --

16 THE COURT: Sustained. Hold it. Sustained.  
17 Let's move along. All right. I want to start moving  
18 along question and answer.

19 Q. (By Mr. Magliolo) Do you recognize that check?

05:27:09

20 A. Yes, sir.

21 Q. Is that the check you purchased?

22 A. Yes, sir.

23 Q. Who asked you to purchase that check?

24 A. Tencha.

05:27:16

25 Q. Did she tell you why she needed you to purchase it as

1 opposed to her to purchase it?

2 **A.** Yes, sir. Because she needed -- she told me she  
3 needed another check, one more check because I believe she  
4 had purchased several of them.

05:27:30

5 THE COURT: What? You said why? The question  
6 was why; is that correct?

7 MR. MAGLIOLO: Yes, Your Honor.

8 THE COURT: Well, why?

05:27:39

9 **Q.** (By Mr. Magliolo) Why did she want you to purchase it  
10 instead of her purchasing it to pay off her debt, if she  
11 told you?

12 **A.** I have no idea. She just asked me to do it for her.

13 MR. FAZEL: Objection, nonresponsive, asked and  
14 answered.

05:27:49

15 THE COURT: Overruled. How does that hurt you?

16 MR. FAZEL: It --

17 **Q.** (By Mr. Magliolo) Did she --

18 MR. FAZEL: She knew it was going on.

05:27:58

19 THE COURT: Why? It doesn't, right? Didn't say  
20 why. Go on.

21 **Q.** (By Mr. Magliolo) Did she tell you whether or not she  
22 had already purchased some checks?

23 **A.** She told me she needed one more.

24 **Q.** Try to listen to the question and answer the question.

05:28:11

25 **A.** Yes, sir.

1 Q. Did she tell you that she had already purchased some  
2 checks?

3 A. Yes, sir.

4 Q. And what did she tell you?

05:28:18 5 A. She told me I needed one more check.

6 Q. What did she tell you regarding her having already  
7 purchased checks, if you recall?

8 A. She told me I need for you to buy me one cashier's  
9 check because I need one more because I have to pay the  
05:28:40 10 attorney for a lawsuit I have for a million dollars.

11 Q. Did she indicate to you whether she had already  
12 purchased too many checks?

13 A. She said she had already had some, and she needed one  
14 more.

05:28:54 15 THE COURT: I heard that. We heard this three or  
16 four times already.

17 Q. (By Mr. Magliolo) Do you recall whether or not she  
18 told you she had already purchased too many checks?

19 THE COURT: Did she use that phrase, "too many  
05:29:08 20 checks"?

21 THE WITNESS: I don't recall she saying too many  
22 but she said --

23 THE COURT: All right. All right. Next  
24 question.

05:29:15 25 Q. (By Mr. Magliolo) What do you recall she said about



1 any other checks that she had purchased?

2 **A.** Exactly what I told you, sir.

3 THE COURT: Okay. All right. We have already  
4 heard it. Next question.

05:29:25

5 **Q.** (By Mr. Magliolo) Did she go to the bank with you to  
6 purchase the check?

7 **A.** Yes, sir.

8 **Q.** Did she give -- what did she give you in order that  
9 you could purchase the check?

05:29:33

10 **A.** She gave me money so I could purchase the \$9,000  
11 check.

12 **Q.** And how much money did she give you?

13 **A.** She gave me the \$9,000 and --

14 THE COURT: Was it in cash?

05:29:45

15 THE WITNESS: Yes, sir.

16 **Q.** (By Mr. Magliolo) And where was she standing when you  
17 purchased the check?

18 **A.** Right next to me at the tellers.

19 **Q.** And who told you who the check should be made out to?

05:29:57

20 **A.** She gave me a piece of paper, which I didn't even look  
21 at. I handed it to the teller. And she printed the  
22 check. And then I handed it to her.

23 **Q.** And where do you believe that the money, the \$9,000  
24 that purchased that check came from?

05:30:17

25 MR. FAZEL: Objection. It's speculation, Your

1 Honor.

2 THE COURT: Sustained. Do you know where it came  
3 from? Do you actually know where the \$9,000 came from,  
4 yes or no?

05:30:26 5 THE WITNESS: No, not at that time because --

6 THE COURT: Well, did you later find out?

7 THE WITNESS: Well --

8 THE COURT: Or you don't know where it came from?

9 THE WITNESS: At that point, I did not know.

05:30:34 10 THE COURT: Okay.

11 Q. (By Mr. Magliolo) Do you know -- how long were you  
12 friends with the defendant, Tencha?

13 A. I met this lady when I was a little girl. I was 9 --  
14 8, 9 years old. I saw her a few times. I never saw her  
05:30:53 15 again in my life until about 30 years later.

16 Q. Okay. When you re-friended her, how long were you  
17 friends with her before you were arrested?

18 A. Probably about six years.

19 Q. Okay. Did you hang out with her?

05:31:09 20 A. Not as much as hang out. I visited her. We went out  
21 to eat several times.

22 Q. And how much time? How long were you at the club,  
23 working at the brothel for her?

24 A. How long?

05:31:22 25 Q. Yes. How long?

1 A. Oh, about eight months.

2 Q. Okay. Did you see money transfer hands there at the  
3 brothel?

4 A. Did I see what, sir?

05:31:31

5 Q. Money exchange hands at the brothel.

6 A. What do you mean by exchange hands?

7 Q. Did you see money collected at the brothel which  
8 eventually went to Tencha?

9 A. Oh, yes, sir.

05:31:47

10 Q. A lot of money?

11 A. Yes, sir.

12 Q. Okay. Do you know where Tencha could have come up  
13 with \$9,000 cash based on what you saw happening at the  
14 brothel other than at the brothel?

05:32:00

15 MR. FAZEL: Your Honor, I object to the form of  
16 the question. The question asks for speculation.

17 MR. MAGLIOLO: It is pretty straightforward, Your  
18 Honor. Based on her experience with the money at the  
19 brothel and her spending six years with her and working at  
20 the brothel does she know anyplace that money -- that  
21 money, cash in that amount could have come from other than  
22 the brothel.

05:32:12

23 THE COURT: You object to that?

24 MR. FAZEL: I do.

05:32:20

25 THE COURT: Why?

1 MR. FAZEL: It's compound. It's speculation.

2 THE COURT: Sustained.

3 MR. MAGLIOLO: Pass the witness.

4 **CROSS-EXAMINATION**

05:32:28

5 BY MR. FAZEL:

6 Q. Ms. Lugo -- I'm sorry, ma'am. Ms. Lugo, correct?

7 A. Yes, sir.

8 Q. Okay. Do you remember having a conversation with the  
9 government when you were arrested?

05:32:49

10 A. Yes, sir.

11 Q. Do you remember telling the government that you heard  
12 the girls talk about if they claim to be victims they  
13 would get --

05:33:00

14 MR. MAGLIOLO: Your Honor, that's based on  
15 hearsay and asking for a hearsay response. We object to  
16 it.

17 THE COURT: Overruled.

18 Q. (By Mr. Fazel) Do you remember making a statement  
19 that you overheard girls saying --

05:33:08

20 MR. MAGLIOLO: It's hearsay, Your Honor, that she  
21 overheard girls saying something.

22 THE COURT: Well, is it -- what is it based on?  
23 What's that question based on?

05:33:18

24 MR. FAZEL: It's her statement to the government,  
25 Your Honor, regarding what she heard while she was working

1 at LP-2.

2 MR. MAGLIOLO: It's not her statement. It's not  
3 her statement unless she signed it or ratified it, Your  
4 Honor. If she signed it, then I have no objection.

05:33:27 5 THE COURT: Is that your statement or not?

6 MR. FAZEL: I don't think she has heard the  
7 statement, Your Honor.

8 THE COURT: I'm going to allow you to ask it. I  
9 want to know whether she said it or not. Go on.

05:33:36 10 **Q.** (By Mr. Fazel) Do you remember telling the government  
11 that you overheard the girls at LP-2 say that if they  
12 claim to be victims they would get papers to stay in the  
13 United States?

14 **A.** I heard somebody. I don't -- I'm not exactly sure who  
05:33:52 15 it was. But I heard -- I just heard a voice saying  
16 something like that. I don't know the exact words that  
17 they said.

18 **Q.** This is a girl that was working at Las Palmas as a  
19 prostitute?

05:34:03 20 **A.** Yes, sir.

21 **Q.** Thank you. Do you -- do you remember -- did the girls  
22 at Las Palmas ever assault you?

23 **A.** Assault me?

24 **Q.** Yes. Did they ever hit you?

05:34:27 25 **A.** Yes, sir.

1 Q. Did you ever ask one of the girls, "Why are you at Las  
2 Palmas 2? Did anybody make you?" and the girls say, "No,  
3 nobody made me"?

4 A. Yes, sir.

05:34:43

5 Q. Do you remember the girls telling you that their pimps  
6 would take them out to nightclubs and take them out at  
7 night?

8 MR. MAGLIOLO: That's hearsay, Your Honor.

9 THE COURT: All right. Sustained. Enough of

05:34:53

10 that. Move on. What else have you got?

11 MR. FAZEL: Okay. Could I have just one second?  
12 I'm sorry.

13 THE COURT: Okay.

05:35:38

14 Q. (By Mr. Fazel) Ms. Lugo, you met with the government  
15 several times before you testified today, correct?

16 A. Yes, sir.

17 Q. And every time you met with them, did they not show  
18 you writings and ask you if those writings were accurate?

19 A. Yes, sir, they did show me.

05:35:49

20 Q. Okay. So they showed you these reports they drafted;  
21 and you said, yeah, this is accurate or not accurate,  
22 correct?

23 A. What reports are you talking about?

24 MR. FAZEL: Approach, Your Honor?

05:35:59

25 THE COURT: Yeah.

1 Q. (By Mr. Fazel) Ignore my highlights. Did they show  
2 you these reports and ask you to read them and make sure  
3 they were accurate?

05:36:10

4 MR. MAGLIOLO: Your Honor, if he is going to  
5 question her about it, we need to mark it as an exhibit.  
6 It needs to be marked so the record is clear.

7 THE COURT: What is it that you are showing her?

8 MR. FAZEL: D-2, Your Honor.

9 THE COURT: Do you want to mark it as D-2?

05:36:21

10 MR. MAGLIOLO: Yes, Your Honor. I'd like her to  
11 mark it.

12 THE COURT: Lower your voice.

13 MR. MAGLIOLO: I'd like her to mark it if he is  
14 going to question her about it so the record can be clear.

05:36:29

15 THE COURT: All right. Let's mark it. What's  
16 the next exhibit number? It's not coming into evidence,  
17 but for identification purposes.

18 MR. FAZEL: D as in "dog" 2, Your Honor.

19 THE COURT: What?

05:36:37

20 MR. FAZEL: D-2, Your Honor.

21 THE COURT: All right. D-2.

22 Q. (By Mr. Fazel) I'm showing you what's been marked as  
23 Defendant's 2. Do you remember them showing you these  
24 reports every time you met with them to make sure that  
25 they are accurate?

05:36:46

1 **A.** I don't know what the report reads. I mean, I don't  
2 have --

3 **Q.** Take a brief look at them.

4 **A.** Let me see if I can see because I don't have my  
05:36:56 5 glasses.

6 **Q.** Do you want to use mine? Would that help?

7 **A.** Let me see.

8 **Q.** Do they help?

9 THE COURT: Now, a full-service operation. I  
05:37:07 10 have a pair of glasses in here. They are not used very  
11 often. If we can't use those, we'll try this  
12 prescription.

13 MR. MAGLIOLO: Your Honor, if it please the  
14 Court, I believe the question was does she recall them  
05:37:19 15 showing a report to her and asking her if it was accurate;  
16 not was this report accurate. So the question was did she  
17 recall anybody showing her a report and asking her if it  
18 was accurate. I don't think we got an answer.

19 **Q.** (By Mr. Fazel) Let me phrase it this way.

05:37:36 20 MR. MAGLIOLO: No. I'd like an answer to that  
21 question.

22 THE COURT: No. You can talk to her later. Go  
23 on.

24 **Q.** (By Mr. Fazel) In the many times that you met with  
05:37:44 25 the government, did they not show you writings that they



1 had summarizing your previous meetings to make sure that  
2 those writings were accurate?

3 **A.** I don't recall, sir; but I -- I don't recall.

4 **Q.** Okay. In those meetings you had your lawyer with you,  
5 correct?

6 **A.** Yes, sir.

7 **Q.** His name is Gerry Montalvo?

8 **A.** Yes, sir.

9 **Q.** Okay. Do you remember making a statement or would  
10 this statement be accurate that you don't recall any of  
11 the girls not being able to work because they were beaten  
12 up by their pimps? Do you remember -- is that statement  
13 accurate?

14 **A.** No, sir.

15 **Q.** No, sir, it's not accurate or, no, sir, that is  
16 accurate? Which one?

17 **A.** I don't understand your question.

18 **Q.** Sure. Sure. Do you remember saying or would this  
19 statement be accurate about something you have said: "You  
20 did not recall any of the girls not being able to work  
21 because they were beat up by their pimps"? Is that  
22 accurate?

23 **A.** Yes, sir. I don't recall nobody --

24 **Q.** Okay. Thank you.

25 **MR. MAGLIOLO:** May she finish the answer? He cut

1 her off. "Nobody" and then he talked and stopped her.

2 THE COURT: Finish your answer.

3 Q. (By Mr. Fazel) Finish your answer, ma'am.

4 A. Okay. I do not recall anybody being beaten.

05:39:53

5 Q. Thank you, ma'am. Now, ma'am, originally you were  
6 charged in Count 1 of the charging instrument along with  
7 Count 2, correct?

8 A. Yes, sir.

05:40:27

9 Q. Count 1 is the same count that Ms. Medeles-Garcia is  
10 charged with, correct?

11 A. Yes, sir.

12 Q. And that carries a zero to life sentence, correct?

13 A. Yes, sir.

05:40:36

14 Q. But you have made an agreement with the government  
15 that's in writing, correct? Do you remember meeting with  
16 the government and signing --

17 A. I made an agreement, yes, sir.

18 Q. Okay. And that agreement allows you to plead guilty  
19 to the second count of the indictment, which is a maximum  
20 of ten years, correct?

05:40:52

21 A. Yes, sir.

22 Q. Okay. Does it also allow you to under certain  
23 circumstances to obtain a benefit called a 5K1.1?

24 A. What's a benefit?

05:41:06

25 Q. Okay. Let me rephrase that. Did your lawyer tell you

1 that should you testify and assist the government that the  
2 government would help you at sentencing? Did your lawyer  
3 tell you that?

05:41:24

4 **A.** Well, if I -- I mean, I know if I testified that it  
5 would probably help my case.

6 **Q.** And it would help your case because the government  
7 would seek a reduction in your sentence, correct?

8 **A.** Yes, sir.

9 **Q.** And your agreement also waives all appeals, correct?

05:41:38

10 **A.** Yes, sir.

11 **Q.** You can't appeal your sentence, correct?

12 **A.** Yes, sir.

13 **Q.** The government also agrees to -- well, the government  
14 agrees to allow certain points be given to you under the  
15 federal sentencing guidelines, correct?

05:41:56

16 **A.** Yes, sir.

17 **Q.** Now, the federal sentencing guidelines are  
18 calculations that each defendant has to go through when  
19 they are found guilty by a jury or sentenced by a judge,  
20 correct?

05:42:09

21 **A.** Yes, sir.

22 **Q.** Okay. And those depend on your criminal history and  
23 what you pled guilty to, correct?

24 **A.** Yes, sir.

05:42:21

25 **Q.** And by your cooperation with the government, the

1 government will ask those points to come down so you are  
2 looking at less time, correct?

3 **A.** Yes, sir.

4 **Q.** And that's what -- your lawyer explained to you that's  
05:42:39 5 how the plea agreements work, correct?

6 **A.** Yes, sir.

7 MR. FAZEL: Okay. Thank you, ma'am.

8 **REDIRECT EXAMINATION**

9 BY MR. MAGLIOLO:

05:42:48 10 **Q.** Ma'am, is the government going to ask for you to get a  
11 lesser sentence or will your lawyer argue for you to get a  
12 lesser sentence?

13 **A.** My lawyer.

14 **Q.** And what he could tell the judge was that you -- well,  
05:43:05 15 let me ask you: Why are you cooperating in this case?

16 **A.** Because I'm hoping and I'm wishing that it would help  
17 my case, it would help my sentence.

18 **Q.** And who is going to sentence you? The prosecution or  
19 the judge?

05:43:17 20 **A.** The judge.

21 **Q.** And is there any other reason that you feel obligated  
22 or you want to tell the jury what happened, other than  
23 what you are trying to get out of it?

24 **A.** Yes, sir, because --

05:43:28 25 **Q.** Tell the jury.

1 **A.** Yes, sir. Because I feel that I made a mistake, and  
2 I'm trying to correct my mistake because this chapter in  
3 my life it's not the sum of who I am.

4 MR. MAGLIOLO: That's all I have, Your Honor.

05:43:43

5 **RECROSS-EXAMINATION**

6 BY MR. FAZEL:

7 **Q.** Did your -- just briefly. Did your lawyer tell you  
8 that in order -- that the government and only the  
9 government can file a motion seeking the Court to reduce  
10 your guideline calculations?

05:44:01

11 **A.** Yes, sir.

12 **Q.** Nobody else can file that motion but the government,  
13 and your lawyer told you that?

14 **A.** Yes, sir.

05:44:09

15 MR. FAZEL: Thank you.

16 **REDIRECT EXAMINATION**

17 BY MR. MAGLIOLO:

18 **Q.** Was there any conversation about you getting a 5K  
19 between you and the government? Do you understand what a  
20 5K reduction is? Do you have any idea what had means?

05:44:17

21 **A.** No, sir.

22 **Q.** So when he asked you about a 5K, you didn't have any  
23 idea what he was talking about, right?

24 **A.** Right.

05:44:26

25 **Q.** Okay. And since assuming, if you have no idea what he

1 was talking about, there would have been no negotiations  
2 between you and the government about getting some kind of  
3 a 5K reduction, correct?

4 **A.** I didn't understand your question, sir.

05:44:39

5 **Q.** If you don't know what a 5K is and have not heard of  
6 it, then I assume there was no negotiations with you, your  
7 lawyer and the government about getting a 5K reduction,  
8 whatever that might be?

05:45:02

9 **A.** Well, it was my understanding that if I helped the  
10 case that I would, you know, probably --

11 **Q.** Get what?

12 **A.** Sir?

13 **Q.** Get what, ma'am?

14 **A.** No. That it would probably help my case.

05:45:12

15 **Q.** Well, that makes sense, doesn't it, because then your  
16 lawyer could tell the judge what you did or didn't do?

17 **A.** Yes, sir.

18 **Q.** Okay. And again, you don't know what a 5K is? As far  
19 as -- do you know or not know what a 5K reduction is?

05:45:26

20 **A.** I don't know what a 5K reduction is.

21 MR. MAGLIOLO: That's all I have, Your Honor.

22 **RECROSS-EXAMINATION**

23 BY MR. FAZEL:

05:45:44

24 **Q.** Ma'am, I'm handing you what I have marked as D-3. Is  
25 this -- is this your signature, ma'am?

1 **A.** Yes, sir.

2 **Q.** Would you tell us what the title of that document is?  
3 Do you want my glasses?

4 **A.** Plea agreement.

05:46:00

5 **Q.** Plea agreement. Just to refresh your memory -- okay.  
6 Don't read it out loud to the jury -- would you please  
7 start reading right here to yourself.

8 MR. FAZEL: It's page three of the plea  
9 agreement, Mr. Magliolo.

05:46:46

10 **A.** Okay.

11 **Q.** (By Mr. Fazel) Now, there is other signatures on this  
12 document, correct?

13 **A.** Yes, sir.

14 **Q.** There is one that says Ruben R. Perez, correct?

05:46:57

15 **A.** Yes, sir.

16 **Q.** There is one that says Joseph Magliolo, correct?

17 **A.** Correct.

18 **Q.** All right. And you know Joseph Magliolo is that  
19 gentleman that's been asking you the questions, right?

05:47:06

20 **A.** Yes, sir.

21 **Q.** Let's go over this document. Do you remember this  
22 document, ma'am?

23 **A.** Yes. I remember it now.

24 **Q.** All right. Do you remember a section that's called  
25 cooperation?

05:47:15

1 A. Yes, sir.

2 Q. Okay. Under that section do you remember it saying  
3 that should the defendant cooperate it is the sole  
4 discretion and judgment of the United States the amount of  
05:47:33 5 substantial assistance and reserves the sole right, the  
6 sole right, to file a motion for departure under 5K1.1?  
7 Do you remember that, ma'am?

8 A. Yes, sir.

9 Q. Okay. So it's not the lawyer that has to file the  
05:47:49 10 motion. It's the government that has to file the motion?

11 A. Right.

12 MR. FAZEL: I pass the witness.

13 **REDIRECT EXAMINATION**

14 BY MR. MAGLIOLO:

05:47:55 15 Q. Again, do you remember any conversation between you  
16 and I or you and Mr. Perez or your lawyer and either  
17 Mr. Perez or I about you getting a 5K reduction?

18 A. Yes, sir.

19 Q. You remember a conversation between us about that?

05:48:14 20 MR. FAZEL: Asked and answered, Your Honor.

21 MR. MAGLIOLO: Let's let her --

22 THE COURT: What?

23 MR. MAGLIOLO: -- answer the question.

24 THE WITNESS: I remember --

05:48:19 25 THE COURT: Do you want me to let her answer the



1 question or him?

2 MR. MAGLIOLO: Him.

3 A. I remember discussing that 5K, whatever it's called,  
4 with my attorney.

05:48:30

5 Q. (By Mr. Magliolo) Okay. Was that my question, ma'am?

6 A. Well, you asked me if I discussed it with you?

7 Q. Yes, ma'am.

8 A. With my attorney?

9 Q. With me.

05:48:39

10 A. No, not with you, sir.

11 Q. Or Mr. Perez.

12 A. No, sir.

13 MR. MAGLIOLO: That's all I have.

14 THE COURT: Go on.

05:48:43

15 MR. FAZEL: I pass the witness, Your Honor.

16 THE COURT: Okay. Thank you. You can step down.

17 You are excused. You are free to leave.

18 Call your next witness.

19 MR. MAGLIOLO: Graciela Ochoa, Your Honor.

05:49:24

20 Gracie Ochoa, Your Honor.

21 THE COURT: Raise your right hand, please.

22 THE WITNESS: (Complying.)

23 (Witness sworn by the Court.)

24 THE COURT: Where did you go?

05:49:37

25 THE WITNESS: Yes, I do.

1 THE COURT: It's late in the day. I'm sorry.

2 Okay. Thank you, ma'am. Go right ahead.

3 MR. MAGLIOLO: Thank you, Your Honor.

4 **GRACIELA MEDELES MEDINA OCHOA,**

05:49:52

5 having been first duly sworn, testified as follows:

6 **DIRECT EXAMINATION**

7 BY MR. MAGLIOLO:

8 **Q.** Please state your name for the ladies and gentlemen of  
9 the jury.

05:49:56

10 **A.** Graciela Medeles Medina Ochoa.

11 THE COURT: How do you spell your last name,  
12 please?

13 THE WITNESS: Ochoa, O-c-h-o-a.

14 THE COURT: And what first name do you prefer?

05:50:09

15 THE WITNESS: Graciela or Gracie.

16 **Q.** (By Mr. Magliolo) Do you know the defendant in this  
17 case who we have been referring to as Tencha?

18 **A.** Yes.

19 **Q.** And what relation, if any, is she to you?

05:50:19

20 **A.** She is my mother.

21 **Q.** Do you see her in the courtroom?

22 **A.** Yes.

23 **Q.** Would you point her out and describe an article of her  
24 clothing so the court reporter can get it in the record?

05:50:28

25 MR. FAZEL: I will stipulate. The daughter

1 doesn't have to point out her mother.

2 THE COURT: All right. The record will so  
3 reflect.

05:50:35

4 Q. (By Mr. Magliolo) When did you first figure out that  
5 your mom was in the prostitution brothel business?

6 A. When I was 12 or 13.

7 Q. Is that because she had you work there?

8 A. No. I never worked there.

05:50:54

9 Q. Did you work for your mother as far as getting  
10 supplies for the brothel?

11 A. Yes, sir.

12 Q. How old were you?

13 A. I was the same age, 12 or 13.

05:51:14

14 Q. At some point in time did you start helping her count  
15 the money that she made at the brothel?

16 A. Yes, sir.

17 Q. And so the record will be clear, that's Las Palmas 2?

18 A. Yes, sir.

19 Q. Do you recall what street it's on?

05:51:27

20 A. On Telephone Road.

21 Q. About when did you start helping your momma count the  
22 cash she got at the brothel?

23 A. About 2010 to 2011.

05:51:45

24 Q. And would that be cash from the prostitution there and  
25 from the sale of beer and machines and different things

1 she had located there?

2 **A.** Yes, sir.

3 **Q.** Now, was that primarily some other -- someone else's  
4 job to help her count the money?

05:52:00

5 **A.** Yes, sir.

6 **Q.** And who would that be?

7 **A.** My other sister.

8 **Q.** What is her name?

9 **A.** Diana.

05:52:06

10 **Q.** And if Delia needed help or wasn't there, did you fill  
11 in for a while?

12 **A.** Not for Delia.

13 **Q.** Well, did you help count the money? I'm sorry. Not  
14 Delia. Diana.

05:52:21

15 **A.** Repeat it again, sir.

16 **Q.** That was a bad question. Under what circumstances did  
17 you help the defendant count the money from Las Palmas 2?

18 **A.** When my sister, Diana, was not available, I would help  
19 my mother.

05:52:40

20 **Q.** Did you really want to do it?

21 **MR. FAZEL:** Objection to relevance, Your Honor.

22 **THE COURT:** Sustained.

23 **Q.** (By Mr. Magliolo) Where would the counts take place?

24 **A.** The counts? I don't understand.

05:52:54

25 **Q.** The count of the money take place.

1 **A.** Oh, on 1347 Dell Dale.

2 THE COURT: What's that?

3 THE WITNESS: My mother's house.

4 THE COURT: Your house? Whose house?

05:53:05

5 THE WITNESS: Oh, my mother's.

6 THE COURT: Your mother's house. You counted the  
7 money at your mother's house, right?

8 THE WITNESS: Yes. Yes, Your Honor.

05:53:16

9 **Q.** (By Mr. Magliolo) And would Delia also be there on  
10 occasion?

11 **A.** I rarely would see her.

12 **Q.** Okay. The question is on occasion would she be there,  
13 also?

14 **A.** No.

05:53:28

15 **Q.** Tell us a little bit about how the count went on. I  
16 mean, how would the money arrive?

17 **A.** I have -- I don't know.

18 **Q.** Well, would it be all done at a table?

19 **A.** It would be in the office.

05:53:45

20 **Q.** Okay. And would the money -- where would the money be  
21 placed? What would the money be placed on?

22 **A.** On the desk.

23 **Q.** Okay. So what would be on that desk other than --  
24 would there be a bag? Would there be other pieces of

05:54:01

25 paper? What would be on the desk with the money usually?

1 **A.** I'm not sure. Repeat it again, please.

2 **Q.** What would be on the desk with the money?

3 **A.** I don't know.

4 **Q.** Did you ever see any slips -- well, let's see P-47.

05:54:27

5 Would you look at P-47, and I would ask you if you  
6 recognize that as being one of the documents that when you  
7 did a money count was with the money?

8 **A.** I would see the document.

05:54:44

9 **Q.** Okay. Do you recognize P-47 as one of the documents  
10 you would see when you all did the money count?

11 **A.** Yes.

12 **Q.** Now, there are some tickets pictured there; and I  
13 understand. I'm not asking you if you know what those  
14 tickets are for. Would you also see tickets the same or  
15 similar to what is in P-47 when you did the money count?

05:55:01

16 **A.** Yes.

17 **Q.** And I don't -- I know this isn't easy for you, ma'am.  
18 Okay. I'm not trying to be difficult.

19 Now, did at some point in time someone ask you to  
20 purchase a cashier's check?

05:55:27

21 **A.** Yes.

22 **Q.** And how many cashier's checks did you end up  
23 purchasing?

24 **A.** Two.

05:55:38

25 **MR. MAGLIOLO:** Can we have C-42, please.

1 Q. (By Mr. Magliolo) If you take a look at C-42, would  
2 this be the first cashier's check you purchased?

3 A. Yes.

4 Q. And who got you to purchase the first cashier's check?

05:56:00

5 A. My sister, Delia.

6 Q. And did she tell you why you should purchase it?

7 A. Yes.

8 Q. And what did she tell you?

9 A. Through her case for bankruptcy.

05:56:10

10 Q. And did she tell you whether or not the lawyer would  
11 accept cash payments?

12 A. Yes.

13 Q. What did she tell you?

14 A. That he does not accept any cash.

05:56:21

15 Q. And this was purchased at Chase Bank?

16 A. Yes.

17 Q. Who went with you to Chase Bank to purchase the check,  
18 this first one?

19 A. My mother.

05:56:35

20 Q. Where did you get the money to purchase this first  
21 check, the \$9,000?

22 A. She handed it to me.

23 Q. Did your mom, the defendant, go to a teller a very  
24 short time after you went -- you made this purchase of

05:57:05

25 this cashier's check?

1 **A.** Yes.

2 **Q.** At that time, did you know whether or not she  
3 purchased another \$9,000 cashier's check?

4 **A.** No, I did not.

05:57:18

5 MR. MAGLIOLO: Let me see the summary.

6 **Q.** (By Mr. Magliolo) If you take a look at Government's  
7 43 and look at the date that this first check was  
8 purchased, 9-22, you see that there was a check purchased  
9 by you at 9:35?

05:57:46

10 **A.** Yes.

11 **Q.** And then you see there is another check purchased by  
12 the defendant, the same place, at 9:41?

13 **A.** Yes.

14 **Q.** Does that fit now with what you saw your mother doing  
15 at the window a short time after your purchase was made?

05:58:01

16 **A.** Yes.

17 **Q.** And do you have any doubt that the money, both your  
18 \$9,000 and her \$9,000, that were used came from the  
19 brothel?

05:58:19

20 **A.** No, I don't have a doubt.

21 **Q.** I direct your attention to 10 -- I'm sorry,  
22 11-01-2011. Did you purchase another check on that day?  
23 This would be -- well, we could take a look on there.  
24 Yeah.

05:58:36

25 **A.** Yes.



1 MR. MAGLIOLO: And could we have Exhibit C-60.

2 Q. (By Mr. Magliolo) Take a look at C-60. I guess maybe  
3 you could see it on the monitor. Is that the second  
4 cashier's check you purchased?

05:58:52

5 A. Yes.

6 Q. Who was the first one that tried to talk you into  
7 purchasing this cashier's check pictured on C-60?

8 A. Delia.

05:59:13

9 Q. Do you recall whether Delia called you first or your  
10 mom called you first on the second purchase?

11 MR. FAZEL: Asked and answered, Your Honor.

12 THE COURT: Overruled. I'll allow him to go on a  
13 bit.

14 A. My mother called me.

05:59:22

15 Q. (By Mr. Magliolo) And what did she want you to do?

16 A. She asked me if I could do another check for my  
17 sister, Delia.

18 Q. What did you tell her?

19 A. I told her no.

05:59:31

20 Q. And why?

21 A. Because I figured this was already done, and I told  
22 her that I didn't want to do another check.

23 Q. Did you have a suspicion that there was something  
24 wrong with purchasing cashier's checks with the brothel

05:59:48

25 money?

1 MR. FAZEL: Objection to speculation, Your Honor.

2 THE COURT: Overruled as to her reason for  
3 refusing to do it.

05:59:58

4 Q. (By Mr. Magliolo) Did you suspect there might be  
5 something wrong with purchasing that check with the  
6 brothel money?

7 A. Yes.

8 THE COURT: What do you do for a living, by the  
9 way, right now?

06:00:07

10 THE WITNESS: Right now I am going to school.

11 THE COURT: Okay.

12 Q. (By Mr. Magliolo) Okay. You told your mom no. Did  
13 you get another call from someone to try to get you to  
14 purchase that check?

06:00:25

15 A. Yes.

16 Q. Who called you?

17 A. Delia.

18 Q. And what did she say?

19 A. She told me that I had to do the check for her.

06:00:34

20 THE COURT: For who?

21 THE WITNESS: For Delia.

22 Q. (By Mr. Magliolo) Okay. So you told your mamma no.  
23 Now Delia is asking you to do it. Did you feel pressured  
24 to buy that check?

06:00:44

25 A. Yes, I did.

1 THE COURT: Did you do it?

2 THE WITNESS: Yes, Your Honor.

3 THE COURT: All right. Go on.

06:00:55

4 Q. (By Mr. Magliolo) And on the second check who did you  
5 receive the \$9,000 in cash from?

6 A. I don't recall.

7 Q. Would it have been a limited group of people that you  
8 would have received the cash from?

9 A. Yes.

06:01:07

10 Q. That is, one of two people?

11 A. Yes, Your Honor. Yes. Yes, sir.

12 Q. Thanks for the promotion but -- and who were those  
13 two -- would one of the two people be that you received  
14 the second \$9,000 from?

06:01:19

15 A. It would be from my mother or my sister, Delia.

16 Q. Once you purchased that check, as you told the ladies  
17 and gentlemen of the jury, then what did you do with the  
18 check once you purchased it?

19 A. I dropped it off at 1347 Dell Dale.

06:01:33

20 Q. And your intent was to give -- for who to receive that  
21 check?

22 A. My sister, Delia.

23 Q. And whose house was that?

24 A. My mother's house.

06:01:45

25 MR. MAGLIOLO: I pass the witness, Your Honor.

1 Could I ask one more question, Judge?

2 THE COURT: Go on.

3 Q. (By Mr. Magliolo) How old are you now, ma'am?

4 A. 36.

06:02:05

5 MR. MAGLIOLO: That's all, Your Honor.

6 **CROSS-EXAMINATION**

7 BY MR. FAZEL:

8 Q. Ma'am, were you accused of crimes along with your  
9 mother in this case?

06:02:23

10 A. Yes.

11 Q. And you and your attorney --

12 THE COURT: Microphone.

13 MR. FAZEL: I'm sorry, Your Honor. I'm sorry,  
14 Your Honor.

06:02:32

15 Q. (By Mr. Fazel) And you and your attorney  
16 negotiated --

17 THE COURT: I can't hear you.

18 MR. FAZEL: I'm sorry, Your Honor.

19 Q. (By Mr. Fazel) And you and your attorney negotiated a  
20 plea agreement?

06:02:38

21 A. Yes.

22 Q. And that plea agreement allowed you to plea to a --  
23 well, first of all, you were accused of money laundering,  
24 correct?

06:02:47

25 A. Yes.

1 Q. And that was a zero to 20 count, correct?

2 A. Yes.

3 Q. And your lawyer allowed -- negotiated so that you are  
4 pleading to now a count or a charge that is capped at  
06:03:01 5 60 months, which is five years, correct?

6 A. Yes.

7 Q. And you met with the government and talked to them  
8 about this case on a number of occasions, correct?

9 A. Yes.

06:03:10 10 Q. Now, this is your mother we're speaking of. So this,  
11 I'm sure, was not something that you looked forward to,  
12 correct?

13 A. Right.

14 Q. Now, ma'am, do you understand that your mother is  
06:03:20 15 charged with sex trafficking, correct?

16 A. Yes.

17 Q. That's one of the charges. Is your mother a pimp?

18 A. No.

19 Q. Did she ever force, coerce or ask anybody to become a  
06:03:39 20 prostitute?

21 A. No, sir.

22 THE COURT: To your knowledge. To your  
23 knowledge.

24 A. No.

06:03:44 25 Q. (By Mr. Fazel) Did she ever take somebody from Mexico

1 and bring them down to Houston to prostitute themselves?

2 **A.** No.

3 **Q.** Did she ever recruit somebody to prostitute  
4 themselves?

06:03:57

5 **A.** No.

6 **Q.** Did she ever lock anybody up on a second floor of her  
7 business?

8 **A.** No.

9 **Q.** Did she specifically target minors?

06:04:15

10 **A.** No.

11 **Q.** She owned a place where prostitution occurred,  
12 correct?

13 **A.** Yes.

14 **Q.** Did she provide moneys for yourself and your brothers  
15 and sisters to live on?

06:04:33

16 **A.** Yes.

17 **Q.** You used to be a baker, correct, before you went to  
18 school?

19 **A.** Yes.

06:04:42

20 **Q.** Do you own a bake shop?

21 **A.** Yes.

22 **Q.** Did she help you with that?

23 **A.** Yes.

24 **Q.** Did you tell all this to the government?

06:04:51

25 **A.** Yes.

1 MR. FAZEL: I pass the witness.

2 MR. MAGLIOLO: No further questions, Your Honor.

3 THE COURT: Thank you, ma'am. You are excused.

4 You may step down. You are free to leave.

06:05:04

5 THE WITNESS: Thank you.

6 THE COURT: We will just go off the record for a  
7 moment.

8 (Discussion off the record.)

9 THE COURT: Let's get back on the record.

06:06:13

10 Tomorrow we get under way at 1:30. We'll see you then.

11 Thank you and good afternoon.

12 THE MARSHAL: All rise for the jury.

13 (Jury exited the courtroom at 6:05 p.m.)

14 THE COURT: All right. Okay. You have two more  
15 witnesses. What is the length of time, approximately?

06:06:53

16 MR. MAGLIOLO: An hour.

17 THE COURT: Total?

18 MR. MAGLIOLO: Yes, Your Honor. Depending on --

19 MR. FAZEL: May I inquire as to who the witnesses  
20 are?

06:07:03

21 MR. MAGLIOLO: That would be Diana and David, the  
22 two other children.

23 THE COURT: Okay. That's it?

24 MR. MAGLIOLO: Yes, Your Honor, as it looks like  
25 right now.

06:07:10

1 THE COURT: I'm encouraging you all to work on  
2 that charge.

3 MR. FAZEL: I'm going to do that tonight, Your  
4 Honor.

06:07:15

5 THE COURT: If you work on the charge, that's the  
6 only way we'll do it. Otherwise, we'll have to take more  
7 time. We'll have a formal charge conference anyhow, which  
8 I always do around that table. But aside from your -- the  
9 defense protecting its record, okay, this is pure

06:07:32

10 academics. If it's wrong, you point it out. Then we'll  
11 pull the books. If he is right, you move it around.

12 And that, of course, depends on whether or not -- I  
13 have no idea. I'm not asking if you are going to put any  
14 witness on. But as soon as he is done, let's get right  
15 into the charge whenever the defense is completed.

06:07:45

16 MR. MAGLIOLO: We'll spend the morning doing  
17 that.

18 THE COURT: All right. That would help.

19 MR. PEREZ: Also, I would like to suggest that  
20 the defense and us get together, Your Honor, and go over  
21 the exhibit list. I don't want there to be any  
22 misunderstanding this went in and this didn't come in,  
23 this came in, this didn't come in. Unless the Court is  
24 telling us everything we submitted is in evidence.

06:07:54

06:08:07

25 THE COURT: No. In other words, it's all in



1 conditionally on you using it or at least referencing it.  
2 A lot of those bank records, of course, came in because  
3 there was no objection at all. Anything that's in  
4 contest -- everything is in unless there was an objection  
5 made.

06:08:23

6 MR. MAGLIOLO: The only thing I recall that we  
7 were talking about that was conditionally admitted would  
8 be those binders. And I think the Court wanted --

9 THE COURT: Which binders?

06:08:33

10 MR. MAGLIOLO: Those brown binders, the line  
11 sheets; and the Court wanted someone to tie it in. And  
12 the second CW testified and tied it in. That's the only  
13 thing.

06:08:47

14 THE COURT: Talk to each other about it. If need  
15 be, I'll rule on it. I think, as of now, everything is in  
16 unless they identified it and you objected to it, in which  
17 case I will rule on it.

06:09:00

18 MR. FAZEL: Mr. Magliolo, as usual, is wrong.  
19 There were other things. There were some recordings and  
20 some sheets that were conditionally in subject to the  
21 connection. I kept track of that, and I'll go through it  
22 and make sure we are on the same page.

23 THE COURT: Okay.

06:09:09

24 MR. PEREZ: Our position is when we are finished  
25 those have been connected. Again, Judge --

1 THE COURT: Well, when we get done, if he has any  
2 objection to it being connected, then you need to identify  
3 it and remind me where it came in; and, if necessary, we  
4 have the back-up of the court reporter. Okay.

06:09:25

5 MR. PEREZ: Okay.

6 THE COURT: In other words, you are saying  
7 somebody adopted it all. Well, we need that. Again,  
8 that's tomorrow morning. If you need anything, you know,  
9 please let lawyer Laura know so she isn't at the last  
10 minute digging around.

06:09:36

11 MR. PEREZ: That's exactly why I'm bringing it to  
12 the Court's attention now, Your Honor. Do you want to  
13 meet tomorrow? When do we need to meet?

14 MR. FAZEL: Do we need the Judge to come up with  
15 a time?

06:09:46

16 MR. PEREZ: That way I don't have to argue with  
17 you.

18 THE COURT: I'm just telling you -- let's do it  
19 this way. I'm ordering both of you to get all of this  
20 done. So by the time if there is -- once the defense  
21 rests and/or any rebuttal rests, I said what is not in  
22 evidence and what is your contention, where is it in the  
23 record, you say it was in, you know, as far as a broad  
24 adoption by one witness, you point it out to me. I don't  
25 want to fish around at the last minute.

06:09:54

06:10:14

1 MR. FAZEL: Your Honor, I'm sorry. I did not  
2 mean to interrupt the Court. I apologize.

3 THE COURT: Go on.

06:10:23

4 MR. FAZEL: We'll get together prior to the 1:30  
5 court setting to go over that, Your Honor.

06:10:37

6 THE COURT: And then we still need -- as you  
7 know, then what I do is I get the government's charge; and  
8 I flip through it down there with the court reporter until  
9 I reach a point there is an objection. I stop, or I  
10 consider it. I'll rule on it. And there is your  
11 objection to the charge.

06:10:53

12 And as you know -- I don't know. Maybe some feds have  
13 been changing it. But, you know, historically, it's that  
14 you argue first and then I read it. I read it first  
15 without commenting. The last thing they hear are your  
16 arguments. And then, we draw the two names at random.

06:11:11

17 Just for the record, so I can do it now, on Ellen's  
18 desk are all 14 names in that little green box. You are  
19 welcome to look through it. But during summation I looked  
20 through every one of those and confirmed that it's on the  
21 jury list so that I can confirm there is all 14 correct  
22 names on there.

23 But just now, it's for the record, if you desire to do  
24 it, do it before we begin summation.

06:11:23

25 MR. MAGLIOLO: Yes, Your Honor.

1 THE COURT: Thanks.

2 MR. PEREZ: One more thing.

3 THE COURT: Sure. What else?

4 MR. PEREZ: In the event we finish tomorrow

06:11:29

5 afternoon as far as witnesses, when are we going to argue,  
6 Your Honor?

7 THE COURT: That depends upon the charge.

8 MR. PEREZ: Okay.

9 THE COURT: You tell me. If the charge is in

06:11:37

10 good enough shape when we get together and do it, well, we  
11 can argue it on Wednesday. Otherwise, I guess -- well, I  
12 would say because the thing is once we get it in shape and  
13 ask the government to run the copies -- because everybody  
14 gets copies. So you are dealing with a paper shuffle  
15 there. You may be building in an extra day if you don't  
16 have that charge in shape. I'm not going to push you. I  
17 have got the whole week set aside.

06:11:57

18 MR. PEREZ: We did well then, Your Honor, meeting  
19 the Court's timeline?

06:12:09

20 THE COURT: It appears that way. We're not done  
21 yet, you know.

22 MR. MAGLIOLO: I worry. I find the charge  
23 difficult and long. So I think we're going to have a lot  
24 of work to get it right.

06:12:18

25 THE COURT: Don't forget everything in my court

1 needs to be in 14-point type, double spaced, 14-point.

2 You know, it's whether or not there is evidence to support  
3 it, I'm going to hear the other side. I mean, that's what  
4 we look at when we sit down and go through the charge.

06:12:37

5 But long and complicated, I don't see it. I don't see  
6 it. You have got money laundering. You have got sex  
7 trafficking. What do you have?

8 MR. PEREZ: Harboring.

06:12:50

9 THE COURT: Harboring. And that's all -- they  
10 all have -- it's all in the pattern jury charge somewhere.  
11 I'm not wedded to it, if you agree on it. So long? I  
12 don't see it being long. Okay. Long and complicated?  
13 No.

14 MR. PEREZ: Okay.

06:13:03

15 THE COURT: Whatever you have -- but keep in mind  
16 if we can't get it, certainly. I usually want it  
17 overnight because you basically cannot get it done that  
18 day. That's been my experience doing this for over almost  
19 30 years.

06:13:16

20 MR. MAGLIOLO: Yes, Your Honor.

21 THE COURT: If we can get it done in an  
22 afternoon, you can put it together, send the opposing side  
23 a copy electronically when it's done and you can work on  
24 it.

06:13:26

25 Otherwise, if we have any kind of a charge

1 conference -- let's say we begin the charge conference at  
2 9:00 or 10:00 in the morning. We begin -- we end at  
3 12:00. Well, you have got to go back to your office. You  
4 have to have it retyped. You have to have copies run,  
5 what, 20 or at least 20-some-odd including 14 jurors.

06:13:42

6 And then there now you start at 3:00 or 3:30 in the  
7 afternoon. If you want a decent amount of time, it's a  
8 lot easier to say, well, we'll start the next day so it  
9 will be fresh in their minds and you'll have time to put  
10 together your summations and all sorts of things.

06:13:59

11 MR. PEREZ: Perfect.

12 MR. MAGLIOLO: Thank you.

13 THE COURT: Keep in mind that we have to do it  
14 and have a charge conference some morning. Then probably  
15 the safer thing to do is to get it to trial the following  
16 -- put it to the jury the following day.

06:14:08

17 MR. PEREZ: Yes, Your Honor.

18 THE COURT: Nobody is rushed. And they are not  
19 rushed. And they won't be able to deliberate anyhow.

06:14:20

20 Because if you start -- let's say if you sum it up at 3:00  
21 or 3:30 in the afternoon, well, it's 6:00 maybe before you  
22 are done after my reading it and your arguing. They are  
23 not going to deliberate anyhow. They have got to come  
24 back the next morning. So why not have them come back the  
25 next morning and do that one- or two-hour thing and then

06:14:34

1 have them immediately go into deliberations and we bring  
2 the lunch in to them.

3 Okay. Thanks. We'll see you tomorrow at 1:30.

4 (Proceedings adjourned at 6:14 p.m. and continued in  
5 Volume 7.)

6 *Date: September 3, 2015*

7 ***COURT REPORTER'S CERTIFICATE***

8 *I certify that the foregoing is a true and correct*  
9 *copy of the transcript originally filed with the clerk of*  
10 *court on September 3, 2016, incorporating redactions of*  
11 *personal identifiers requested by Court Order, in*  
12 *accordance with Judicial Conference Policy. Redacted*  
13 *characters appear as a black rectangle in the transcript.*

14  
15           /s/ Laura Wells          

16 *Laura Wells, CRR, RMR*  
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